

Message

From: Piggott, Amelia [Piggott.Amelia@epa.gov]
Sent: 4/14/2017 6:36:38 PM
To: Parker, Robert [Parker.Robert@epa.gov]
CC: Berry, David [Berry.David@epa.gov]
Subject: RE: Pace Ranch - Richardson Flats Site

Ex. 5 AC/DP

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

-----Original Message-----

From: Parker, Robert
Sent: Friday, April 14, 2017 12:07 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Berry, David <Berry.David@epa.gov>
Subject: RE: Pace Ranch - Richardson Flats Site

Ex. 5 AC/DP

Rob Parker, P.E.
Superfund Remedial Project Manager
Environmental Engineer
US EPA, Region 8, Denver
(303) 312-6664

-----Original Message-----

From: Piggott, Amelia
Sent: Wednesday, April 12, 2017 11:59 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Subject: FW: Pace Ranch - Richardson Flats Site

FYI. Can you give me a call whenever you have a chance for a quick chat?

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

-----Original Message-----

From: McKinstry, Robert [mailto:McKinstry@ballardspahr.com]

Sent: Wednesday, April 12, 2017 11:16 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter J. Plumb III (drwjplumb@gmail.com) <drwjplumb@gmail.com>; Peterson, Steven D.
<petersons@ballardspahr.com>
Subject: Pace Ranch - Richardson Flats Site

Hi Amelia,

Attached please find a letter formally requesting a no further action letter with respect to the Pace Ranch Property. I left a message yesterday while you were out of the office. Please give me a call so that I can fill you in on some additional information.

Robert B. McKinstry, Jr.

Ballard Spahr LLP

1735 Market Street, 51st Floor
Philadelphia, PA 19103-7599
215.864.8208 DIRECT
215.864.8999 FAX
484.467.3207 MOBILE
mckinstry@ballardspahr.com

Message

From: Parker, Robert [Parker.Robert@epa.gov]
Sent: 10/2/2018 5:49:09 PM
To: Berry, David [Berry.David@epa.gov]; Skipper, Sherry [Skipper.Sherry@epa.gov]; Todd, Andrew [Todd.Andrew@epa.gov]
CC: Piggott, Amelia [Piggott.Amelia@epa.gov]; Bowen, Ian [Bowen.Ian@epa.gov]
Subject: FW: Richardson Flats - Pace Ranch

Hey Risk Assessors (and Ian for situational awareness; wouldn't want to leave you out of the fun),

Once I get a request to discuss details, I'll be looking to get some time with you all to discuss this property. It's on the northern end of the Site on the east side of the Silver Creek valley. We've had initial discussions with the property owner regarding sampling the parcel to document levels of contamination. This property has a development plan, so it should be a more straight forward discussion regarding risk assessment.

Thanks, Rob

From: Piggott, Amelia
Sent: Tuesday, October 2, 2018 11:43 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Subject: FW: Richardson Flats - Pace Ranch

FYI.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: robert.mckinstry@gmail.com [mailto:robert.mckinstry@gmail.com]
Sent: Tuesday, October 2, 2018 11:40 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)** Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'
Ex. 6 Personal Privacy (PP) Peterson, Steven D. <petersons@ballardspahr.com>
Subject: Richardson Flats - Pace Ranch

Dear Amelia,

This will confirm that the owner of Pace Ranch is willing to negotiate a Bona Fide Prospective Purchaser Agreement with EPA regarding its proposed development of Pace Ranch. The entity owning Pace Ranch is Resort Center Associates, LLC. The approved development is for 18 lots on 153 acres. The lots themselves average 1.8 acres. Approximately 100 acres is deed restricted so that no development may take place. As I mentioned, both a Phase I and Phase II were conducted before acquisition of the property. As a result of the Phase I, the floodplain was subdivided and transferred to a municipality before Resort Center Associates, LLC took title. A Phase II was conducted on the remaining property before RSA took title and did not show any contamination.

As I understand it, Laurie Goldner will now contact the RPM and will be able to negotiate the terms of the sampling plan and you will draft a proposed agreement.

Thanks.

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd
Kennett Square Pa 19348
Robert.mckinstry@gmail.com
610-444-4449
484-467-3207

Message

From: Piggott, Amelia [Piggott.Amelia@epa.gov]
Sent: 8/13/2015 7:54:54 PM
To: Cerise, Kathryn [Cerise.Kathryn@epa.gov]
CC: Madigan, Andrea [Madigan.Andrea@epa.gov]; Wilder, Scott [Wilder.Scott@epa.gov]; Urdiales, Aaron [Urdiales.Aaron@epa.gov]
Subject: RE: Pace Farm-OU2

Ex. 5 Attorney Client (AC)

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Peterson, Steven D. [mailto:petersons@ballardspahr.com]
Sent: Wednesday, August 12, 2015 3:32 PM
To: Piggott, Amelia
Cc: Walter J. Plumb (drplumb@comcast.net); Laurie Goldner (lgoldner@sage-env.com)
Subject: Pace Farm-OU2

Hi Amelia,

It was a pleasure to speak with you, Kathryn Cerise and other members of your team last evening at the Open House and Public Meeting regarding the Silver Creek Remediation and Restoration. As I mentioned, our firm represents Resort Center Associates which owns the 150 acre Pace Farm. Our consultant is Laurie Goldner who was present on the site with Kathryn and representatives of UPCM when the soil samples were taken from the Pace Farm.

Inasmuch as the soil samples demonstrated no contamination with the exception of the Loading Dock, we would like to formalize a procedure to permit the Pace Farm to be removed from OU2. In order to consider removal of the Pace Farm from OU2, we understand that you will need to review the development plan for the Pace Farm which is contemplated to include four parcels in the nature of relatively large building lots which will be sold to third parties. We will send you

our development plan including a preliminary map showing the lots and a description of proposed improvements. Please let us know of any additional requirements you may have for our submittal.

We look forward to working with you on this matter.

Regards,

Steve

Steven D. Peterson

Ballard Spahr LLP

One Utah Center, Suite 800

201 South Main Street

Salt Lake City, UT 84111-2221

Direct 801.531.3023

Mobile 801.598.3630

Fax 801.321.9023

petersons@ballardspahr.com | www.ballardspahr.com

Parcel	Name
PCA-92	IVORY DEVELOPMENT LLC
	BURBS LLC
SS-65-A-9	
HM-1-ROS-4-X	PARK CITY MUNICIPAL CORPPO BOX 1480
PCBC-6	SUNDBORN LLC978 WOODOAK LC
SS-56-A-1-X	
PCBC-7	
SS-65-A-2-A	
NS-PROM-RD	
SS-30-A	
PCBC-8	
PCBC-29	
PCBC-3	
PCBC-5	
SS-65-2-1	
PCBC-4	
SCO-C-10-2AM	
PCBC-22	
SS-65-2	
PCA-9-95-1-X	
PCBC-25	
PCBC-30	
PCBC-14	
SS-92-A-X	
PCBC-31	
SS-65-A-X	
PCBC-15	
PCBC-24	
PCBC-2	
PCBC-9	
PCBC-23	
PCBC-1	
SS-45-UP-X	
PCBC-34	
PCBC-21	
PCBC-26	
SS-51-C-1-X	
PCBC-11	
SS-51-B-X	
SS-51-C	
SS-86-91-UP-X	
PCBC-17	
PCBC-13	
PCBC-12	
MPSC-6A-X	

Address

C/O: CHRISTOPHER GAMVROULAS Attention:978 E WOODOAK LN

SALT LAKE CITY, UT 84117

4885 S 900 E

UNIT 104

SALT
LAKE
CITY, UT
84117

PARK CITY, UT 84060-1480

SALT LAKE CITY, UT 84117

SS-66
PCBC-10
PCBC-B-1
PCBC-16
PCBC-32
PCBC-20
SS-29-B-X
SS-55
SS-22-X
SS-65-A-3-1
SS-21-UP-X
PCBC-33
SS-65-B
PCBC-18
SS-29-X
SS-44-B
PCBC-19
SS-57-1-B-X
SS-65-1
QWTS-2-X
SS-91-UP-X
QWTS-1-X
PCA-92-D-1-X
SS-65-A-3
SS-21-X
PCA-88-X
SS-51-UP-X
PCA-92-A-X-X
SS-44-A-1
SS-51-A
SS-64-1000-UP-X
SS-51-C-2-X
SS-56-UP-X
SS-98-F-X

STATE OF UTAH

PCA-SS-98-UP-X

FORESTDALE INVESTMENTS LLC

PCBC-35

PARK CITY MUNICIPAL CORPORATION

QWTS-3-X

350 N STATE ST

SALT LAKE CITY, UT 84114-0002

339 E 3900 S STE 270

SALT LAKE CITY, UT 84107

PO BOX 1480

PARK CITY, UT 84060-1480

	PACE GALE W
SS-49	
	UNITED PARK CITY MINES CO
SS-88	
	RDB LLC
SS-65-A-5	
	GILLMOR NADINE F TRUSTEE
SS-64-A	
	RDB LLC
SS-65-A-6	
	GILLMOR NADINE F TRUSTEE
SS-56-A	
SS-28-UP-X	STATE OF UTAH350 N STATE ST
SS-28-A-1-X	PARK CITY UTAHPO BOX 1480
	RESORT CENTER ASSOCIATES LLC
SS-27	
	STATE OF UTAH
PCA-91-UP-X	
	FLORENCE J GILLMOR FOUNDATION
SS-56-A-1-A	
	GILLMOR FLORENCE J
SS-50	
	GILLMOR FLORENCE J
SS-47	
	GILLMOR FLORENCE J
SS-56-A-1	

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)



GILLMOR FLORENCE J

SS-56

MUNICIPAL BLDG AUTHORITY OF PARK
CITY

SS-28-A-X

PACE GALE W

SS-44

PACE GALE W

SS-29

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Message

From: Piggott, Amelia [Piggott.Amelia@epa.gov]
Sent: 12/6/2016 9:56:13 PM
To: Parker, Robert [Parker.Robert@epa.gov]; Christensen, Stanley [Christensen.Stanley@epa.gov]; Madigan, Andrea [Madigan.Andrea@epa.gov]; Hogue, Matthew [Hogue.Matthew@epa.gov]; Urdiales, Aaron [Urdiales.Aaron@epa.gov]
Subject: FW: Silver Gate Ranches Proposed Subdivision, Pace Ranch Property, Park City, UT
Attachments: removed.txt

Ex. 5 Attorney Client (AC)

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Jami Brackin [mailto:jbrackin@summitcounty.org]
Sent: Tuesday, December 06, 2016 2:31 PM
To: McKinstry, Robert <McKinstry@ballardspahr.com>
Cc: Piggott, Amelia <Piggott.Amelia@epa.gov>; 'Walter J. Plumb III (drwjplumb@gmail.com)' <drwjplumb@gmail.com>; 'Walter J. Plumb III (drplumb@comcast.net)' <drplumb@comcast.net>; 'Laurie Goldner' <lgoldner@sage-env.com>; Peterson, Steven D. <petersons@ballardspahr.com>; 'Robert McKinstry' <robert.mckinstry@gmail.com>; Pat Putt <pputt@summitcounty.org>; Sean Lewis <slewis@summitcounty.org>
Subject: RE: Silver Gate Ranches Proposed Subdivision, Pace Ranch Property, Park City, UT

Mr. McKinstry:

I appreciate the work you have done on this project and I am hoping you will understand that simply revising your plan or relocating the approved 18 units may not be an option. The project was approved with the homes on phase II sited and approved in a very specific location with the resulting open space being provided as a community benefit in exchange for the density. Changes to that approval would require an amendment to the Development Agreement which has now expired meaning that no amendment can take place. Further, while the approved phase II plat may be recorded, because the property is within the EPA's OU2 and the County's Overlay Zone, a plat note will need to be added requiring EPA /DEQ approval of any building or soil disturbances per the Overlay Zone Ordinance. If your plan can obtain that approval, that is a step in the right direction and may modify the plat note, but does not allow a modification of the approved plan.

From: McKinstry, Robert [mailto:McKinstry@ballardspahr.com]
Sent: Monday, December 05, 2016 2:26 PM
To: Jami Brackin
Cc: 'Amelia Piggott (Piggott.amelia@epa.gov)'; 'Walter J. Plumb III (drwjplumb@gmail.com)'; 'Walter J. Plumb III (drplumb@comcast.net)'; 'Laurie Goldner'; Peterson, Steven D.; 'Robert McKinstry'
Subject: Silver Gate Ranches Proposed Subdivision, Pace Ranch Property, Park City, UT

Dear Ms. Brackin,

I have been working with Steve Peterson, Walter Plumb and Laurie Goldner of Sage Environmental to resolve the environmental issues relating to the above referenced proposed subdivision. As a result of extensive study of the property, we have been able to develop a revised design for the 18 unit subdivision that avoids all areas on the property that contain any level of constituents of concern exceeding EPA screening levels and will also avoid construction in wetlands areas. I have attached a link to a letter from Steve and me that encloses the revised project layout and a letter from Dr. Goldner on behalf of Sage laying out the results of the extensive environmental testing on the property. <https://ballardspahr.sharefile.com/d-sbeaed19fc5d45579>. Both letters conclude that the revised design will allow the County to approve the subdivision consistent with Ordinance 692 without the need for the involvement of EPA or DEQ. As reflected in Dr. Goldner's letter only three areas on the larger property have been "minimally impacted by tailings from historic mining operations" and "[a]ll impacted areas fall outside of the proposed development area." We are also mailing copies of the entire package to you and those receiving this email by mail.

As indicated in our letter, we would be happy to meet with you to go over these results if you believe it would be helpful.

Best Regards,

Robert B. McKinstry, Jr.



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215.864.8999 FAX

484.467.3207 MOBILE | mckinstry@ballardspahr.com
[LINKEDIN](#) | [VCARD](#)



www.ballardspahr.com

Parcel	Name
PCA-92	IVORY DEVELOPMENT LLC
	BURBS LLC
SS-65-A-9	
HM-1-ROS-4-X	PARK CITY MUNICIPAL CORPPO BOX 1480
PCBC-6	SUNDBORN LLC978 WOODOAK LC
SS-56-A-1-X	Utah DOT
PCBC-7	SUNDBORN LLC978 WOODOAK LC
SS-65-A-2-A	Byer Excavating Inc.
NS-PROM-RD	Promontory Investments LLC (road)
SS-30-A	Liberty Capital Lending LLC
PCBC-8	4350 Forestdale 8 LLC
PCBC-29	4108 Forestdale 29 LLC
PCBC-3	High Summit Real Estate Investments LLC
PCBC-5	Labov Daniel Trustee
SS-65-2-1	Space Place Annex LLC
PCBC-4	GMG II Investment LLC
SCO-C-10-2AM	Market Place at Silver Creek Center
PCBC-22	SUNDBORN LLC978 WOODOAK LC
SS-65-2	Jordanelle Storage Park LLC
PCA-9-95-1-X	Park City Municipal Corp.
PCBC-25	Synergy PCBC Lots 24 and 25 LLC
PCBC-30	Moose Paw Properties LLC
PCBC-14	SUNDBORN LLC978 WOODOAK LC
SS-92-A-X	DOI (road)
PCBC-31	I-40 Storage LLC
SS-65-A-X	UDOT
PCBC-15	SUNDBORN LLC978 WOODOAK LC
PCBC-24	Synergy PCBC Lots 24 and 25 LLC
PCBC-2	LDS
PCBC-9	Silver Creek Enterprises LLC
PCBC-23	SUNDBORN LLC978 WOODOAK LC
PCBC-1	Nichols Enterprises LLC
SS-45-UP-X	State (Rails to Trails)
PCBC-34	FORESTDALE INVESTMENTS LLC
PCBC-21	Dry Powder LLC
PCBC-26	Park City Business Center 26 LLC
SS-51-C-1-X	Park City Fire Service District
PCBC-11	LDS
SS-51-B-X	State of Utah Dept. of Natural Resources
SS-51-C	Promontory Investments LLC
SS-86-91-UP-X	Summit County (ROW)
PCBC-17	PCRG Building LLC
PCBC-13	SUNDBORN LLC978 WOODOAK LC
PCBC-12	High Summit Real Estate Investments LLC
MPSC-6A-X	Summit County

Ex. 6 Personal Privacy (PP)

SS-66	Promontory Investments LLC
PCBC-10	High Summit Real Estate Investments LLC
PCBC-B-1	FORESTDALE INVESTMENTS LLC
PCBC-16	SUNDBORN LLC978 WOODOAK LC
PCBC-32	FORESTDALE INVESTMENTS LLC
PCBC-20	Horizon Investment and Development Corp.
SS-29-B-X	Snyderville Basin Water Reclamation Dist.
SS-55	Promontory Investments LLC
SS-22-X	Utah State Road Commission
SS-65-A-3-1	FORESTDALE INVESTMENTS LLC
SS-21-UP-X	State (Rails to Trails)
PCBC-33	FORESTDALE INVESTMENTS LLC
SS-65-B	Geneva Rock Products Inc.
PCBC-18	SUNDBORN LLC978 WOODOAK LC
SS-29-X	Utah State Road Commission
SS-44-B	Johnson International Inc.
PCBC-19	High Summit Real Estate Investments LLC
SS-57-1-B-X	Summit County T/C
SS-65-1	Park City Auto Center Inc.
QWTS-2-X	Park City Municipal Corporation
SS-91-UP-X	State of Utah (road)
QWTS-1-X	Park City Municipal Corporation
PCA-92-D-1-X	Park City Municipal Corporation
SS-65-A-3	Big Hoss Properties LLC
SS-21-X	Utah State Road Commission
PCA-88-X	Park City Municipal Corporation
SS-51-UP-X	State of Utah (rails to trails)
PCA-92-A-X-X	Park City Municipal Corporation
SS-44-A-1	Promontory Investments LLC
SS-51-A	PACE GALE W, Boyer Blaine E Suc Trustee, Pace Dwayne M Trustee
SS-64-1000-UP-X	State of Utah (rails to trails)
SS-51-C-2-X	South Summit School Dist. Bd of Education
SS-56-UP-X	State of Utah (rails to trails)
SS-98-F-X	

STATE OF UTAH

PCA-SS-98-UP-X

FORESTDALE INVESTMENTS LLC

PCBC-35

PARK CITY MUNICIPAL CORPORATION

QWTS-3-X

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

SS-88	UNITED PARK CITY MINES CO
SS-65-A-5	RDB LLC
SS-64-A	GILLMOR NADINE F TRUSTEE
SS-65-A-6	RDB LLC
SS-56-A	GILLMOR NADINE F TRUSTEE
SS-28-UP-X	STATE OF UTAH350 N STATE ST
SS-28-A-1-X	PARK CITY UTAHPO BOX 1480
SS-27	RESORT CENTER ASSOCIATES LLC
PCA-91-UP-X	STATE OF UTAH
SS-56-A-1-A	FLORENCE J GILLMOR FOUNDATION

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

C/O: PARSONS, BEHLE & LATIMER Attention: DAVID R BIRD

201 S MAIN ST STE 1800

SALT
LAKE
CITY, UT
84111
SALT
LAKE
CITY, UT
84111
SALT
LAKE
CITY, UT
84111

C/O: PARSONS, BEHLE & LATIMER Attention: DAVID R BIRD

201 S MAIN ST STE 1800

C/O: PARSONS, BEHLE & LATIMER Attention: DAVID R BIRD

201 S MAIN ST STE 1800

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

MUNICIPAL BLDG AUTHORITY OF PARK CITY

SS-28-A-X

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Message

From: Parker, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=022E5C1E10C34730B9539F902C4C38DE-PARKER, ROBERT]
Sent: 7/24/2020 6:17:42 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: RE: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

Ex. 5 AC/DP

Rob

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Friday, July 24, 2020 11:39 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Subject: FW: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

Ex. 5 AC/DP

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Thursday, July 23, 2020 3:17 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Jacobsen, Dana E <Dana.Jacobsen@sol.doi.gov>
Cc: Walter Plumb <drwjplumb@gmail.com>; Robert McKinstry <robert.mckinstry@gmail.com>
Subject: FW: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

Amelia and Dana,

I am forwarding to you by way of this email, a Soil Sampling Report and summary email provided by our consultant, Laurie Goldner, with respect to Arsenic and Lead levels on the Pace property (known as Silver Gate Ranches). As you can

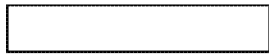
see, only 5 of the 16 lots have Arsenic or Lead which exceeds the EPA Site Specific Screening Levels. On 4 of the 5 lots in question, the excess level of Arsenic or Lead is so tiny as to be non-material. Lot 6 is the only lot which materially exceeds the screening levels. We could very easily take 1 foot of soil off the top of lot 6 as it would only be 1613 cubic yards of soil. We that accomplished, the subdivision would be clean.

Given this study, we find it hard to understand why the Pace property was even included in the Super-fund site. EPA has done its own phase 2 study and Walter has done 2 such studies which show virtually no contamination. The Pace property covers 150 acres, 110 acres of which is open space, and ½ of which has never been irrigated. Walter has been prohibited from moving forward for more than a decade because of a de minimis level of offending material on the property.

After all this time we should have already finalized a settlement agreement. I have sent monthly emails for over a year seeking resolution and each month I receive a courteous response indicating that you will get right back to us. Please respond in a substantive way to this email. We are in a prime selling market and feel an urgency to get this resolved.

Thank you for your consideration and assistance.

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD



www.ballardspahr.com

From: Walter Plumb <drwjplumb@gmail.com>

Sent: Tuesday, July 21, 2020 2:14 PM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>

Subject: Fwd: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

EXTERNAL

----- Forwarded message -----

From: Laurie Goldner <LGoldner@barr.com>

Date: Thu, Jul 16, 2020 at 3:41 PM

Subject: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

To: Walter Plumb <drwjplumb@gmail.com>

Walter-

Look at figure 3 in the attached report for the shallow sampling results (upper 1 foot) for each lot. Lot numbers are in the middle of the sample ID – e.g, L5E = Lot 5 East. Only 5 lots exceed the EPA's site specific screening

levels for either or both lead and arsenic. I used the exact screening levels from the EPA report. None of the deeper samples (from 4 feet or 9 feet depth) exceeded the screening levels.

Sample ID	EPA Site-Specific Screening Levels	
	Arsenic >19 ppm	Lead >262 ppm
SGR-L5E-0-2"		271
SGR-L9W-0-2"		301
SGR-L6W-0-2"	30.0	626
SGR-L6W-6-12"	29.6	531
SGR-L13E-0-2"	19.3/19.4	
SGR-L13E-6-12"	24.5/32.0	
SGR-L17W-0-2"	21.5	293

19.3/19.4 = duplicate sample collected

Let me know if you'd like me to run the specific EPA statistics to obtain an average concentration.

Thanks,

Laurie

Message

From: Parker, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=022E5C1E10C34730B9539F902C4C38DE-PARKER, ROBERT]
Sent: 10/26/2018 7:19:02 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: RE: Richardson Flats - Pace Ranch

Ex. 5 Attorney Client (AC)

Rob

From: Piggott, Amelia
Sent: Friday, October 26, 2018 12:03 PM
To: Parker, Robert <Parker.Robert@epa.gov>
Subject: RE: Richardson Flats - Pace Ranch

Ex. 5 Attorney Client (AC)

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Parker, Robert
Sent: Friday, October 26, 2018 11:41 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: FW: Richardson Flats - Pace Ranch

Ex. 5 Attorney Client (AC)

From: Laurie Goldner [mailto:LGoldner@barr.com]
Sent: Friday, October 26, 2018 11:28 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Cc: 'bobby@robertbmckinstryjr.com' <bobby@robertbmckinstryjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plunk
Subject: FW: Richardson Flats - Pace Ranch

Ex. 6 Personal Privacy (PP)

Rob, please see below... thanks!

Laurie Goldner, PhD

Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com

resourceful. naturally.



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From: Robert B McKinstry Jr. <bobby@robertbmckinstryjr.com>

Sent: Friday, October 26, 2018 11:11 AM

To: Laurie Goldner <LGoldner@barr.com>

Cc: 'Peterson, Steven D.' <petersons@ballardspahr.com>; 'Walter Plumb' **Ex. 6 Personal Privacy (PP)**

Subject: RE: Richardson Flats - Pace Ranch

Hi Laurie,

I just spoke with Amelia, who tells me that she has drafted a BFPP Agreement, but she still needs to receive comments and approvals from others in EPA and DOJ. You could let Rob know this and that it would be helpful if the technical issues could be resolved while that process is occurring rather than further delaying the process by waiting until the Agreement has been finalized. It will also be helpful to know if there are any technical issues that we will need to address during the negotiation of the Agreement.

Bobby

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd
Kennett Square, PA 19348
robert.mckinstry@gmail.com
bobby@robertbmckinstryjr.com
h/w 610-444-4449
c 484-467-3207

From: Laurie Goldner [<mailto:LGoldner@barr.com>]

Sent: Friday, October 26, 2018 1:02 PM

To: 'Parker, Robert' <Parker.Robert@epa.gov>

Cc: 'bobby@robertbmckinstryjr.com' <bobby@robertbmckinstryjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plumb **Ex. 6 Personal Privacy (PP)**

Subject: FW: Richardson Flats - Pace Ranch

Importance: High

Rob-

Hope you're doing well! Please see the email chain below. We have not yet received a draft Bona Fide Prospective Purchaser Agreement from Amelia, but assume that it is in process. In the meantime, we would like to move forward with developing a SAP/QAPP. Would you have some time next week to discuss the details of an appropriate sampling

strategy? Is there any information that you would need before we have that discussion, other than the current development plan? I'm generally open next week, so please suggest a time that works for you.

Best regards,

Laurie

Laurie Goldner, PhD

Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com



If you no longer wish to receive marketing e-mails from Barr, respond to communications@barr.com and we will be happy to honor your request.

From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Tuesday, October 2, 2018 4:03 PM

To: robert.mckinstry@gmail.com

Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)** Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'

Ex. 6 Personal Privacy (PP) Peterson, Steven D. <petersons@ballardspahr.com>

Subject: RE: Richardson Flats - Pace Ranch

Thanks, Bobby. I will get started drafting and keep you posted.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: robert.mckinstry@gmail.com [<mailto:robert.mckinstry@gmail.com>]

Sent: Tuesday, October 2, 2018 11:40 AM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>

Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)** Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'

Ex. 6 Personal Privacy (PP) Peterson, Steven D. <petersons@ballardspahr.com>

Subject: Richardson Flats - Pace Ranch

Dear Amelia,

This will confirm that the owner of Pace Ranch is willing to negotiate a Bona Fide Prospective Purchaser Agreement with EPA regarding its proposed development of Pace Ranch. The entity owning Pace Ranch is Resort Center Associates, LLC. The approved development is for 18 lots on 153 acres. The lots themselves average 1.8 acres. Approximately 100 acres is deed restricted so that no development may take place. As I mentioned, both a Phase I and Phase II were conducted before acquisition of the property. As a result of the Phase I, the floodplain was subdivided and transferred

to a municipality before Resort Center Associates, LLC took title. A Phase II was conducted on the remaining property before RSA took title and did not show any contamination.

As I understand it, Laurie Goldner will now contact the RPM and will be able to negotiate the terms of the sampling plan and you will draft a proposed agreement.

Thanks.

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd
Kennett Square Pa 19348
Robert.mckinstry@gmail.com
610-444-4449
484-467-3207

Message

From: Parker, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=022E5C1E10C34730B9539F902C4C38DE-PARKER, ROBERT]
Sent: 5/11/2021 7:48:23 PM
To: Hogue, Matthew [hogue.matthew@epa.gov]
Subject: RE: Richardson Flat Team Meeting

All good. Thanks for letting me know.

From: Hogue, Matthew <Hogue.Matthew@epa.gov>
Sent: Tuesday, May 11, 2021 10:03 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Subject: RE: Richardson Flat Team Meeting

I have a state meeting. Let me know if you need anything from me.

From: Parker, Robert <Parker.Robert@epa.gov>
Sent: Tuesday, May 11, 2021 10:02 AM
To: Berry, David <Berry.David@epa.gov>; Skipper, Sherry <Skipper.Sherry@epa.gov>; Bowen, Ian <Bowen.Ian@epa.gov>; Piggott, Amelia <Piggott.Amelia@epa.gov>; Hogue, Matthew <Hogue.Matthew@epa.gov>; Jenkins, Katherine <jenkins.katherine@epa.gov>; dbacon@utah.gov; severett@utah.gov; Kimberlee McEwan <kmcewan@agutah.gov>; Amber Bacom <abacom@srcinc.com>; Cline, Chris <Chris.cline@fws.gov>; Eakins, Shaula <eakins.shaula@epa.gov>; 'Alan Jones' <avjones@blm.gov>; Dana Jacobsen (Dana.Jacobsen@sol.doi.gov) <Dana.Jacobsen@sol.doi.gov>; Sherry Skipper <sherry_skipper@fws.gov>; Nicholas Von Stackelberg <nvonstackelberg@utah.gov>; Kloberdanz, Ryan <Kloberdanz.Ryan@epa.gov>; Schmidt, Cordel <cordel.schmidt@tetrattech.com>
Subject: RE: Richardson Flat Team Meeting

1. Outside Interest
 - a. Stoly – scoping meeting
 - b. Resort Center Associates
 - c. Summit County/Pace
 - d. Summit School District
2. Spring Sampling
 - a. Follow up on items not sampled
3. Fall Sampling (Tracer) Next Steps
4. SRC Update
5. SRE update

2021 Look ahead:

2021 Month by Month

January

- Propose Upland Strategy to EPA/DEQ Management – Jan 13
- Upland Data Analysis, as appropriate
- Gather ideas for stakeholder mtgs.
- Develop GW/SW Interaction Winter Activities
- Develop UDEQ Cooperative Agreement (Jan-Mar)

February

- Upland data analysis, if needed.
- Implement GW/SW interactions Winter Activities
- Finalize SRE approach

March

- Finalize Risk Assessment, Rail Trail, and GW/SW interactions SAP (ESAT)

April

- Evaluate Willow Plantings (FW/S)
- Initiate stakeholder mtgs.
- Implement Risk Assessment, and GW/SW interactions SAP (late April) (ESAT)

May

- Finalize START QAPP
- Develop, Finalize and Implement Summit School Screening (START)
- Develop characterization approaches for LSC priority source areas (START)
- Develop high flow erosion evaluation approach, Sediment transport sampling (START)
- Develop low flow sampling approach – tracer test (USGS, EPA)
- Ditch, Rail Trail Sampling (ESAT)?

June

- Characterize LSC priority source areas. (START)
- Target date for Preliminary Alternatives Evaluation (START)
- Identify if there is a need for treatability study equivalent.
- Target Date for Updated Site Characterization Report (building from April 2018 report) (START)
- ORD Hyperspectral - Phase 1

July

- Characterize LSC priority source areas. (START)
- Implement High Flow Erosion/Sediment Transport Sampling (START)
- Target date for Upland SRE? (SRC)
- Upland Repository inventory/survey (START)

August

- Conduct ULT survey
- Evaluate Willow Plantings

September

- Implement Low Flow Sampling (tracer)
- Biological Assessment for ULT.
- ORD Hyperspectral – Phase 2

October

- Refine preliminary alternatives, if necessary.
- Prepare for 2022 Planning
- Develop Annual Monitoring approach (Team with ESAT or START)

November

- Update Site Characterization
- Target date for Remaining Site Streamlined Risk Evaluation

December

- Recommended Action Fact Sheet for LSC Priority Areas

-----Original Appointment-----

From: Parker, Robert

Sent: Wednesday, January 8, 2020 9:18 AM

To: Parker, Robert; Berry, David; Skipper, Sherry; Bowen, Ian; Piggott, Amelia; Hogue, Matthew; Jenkins, Katherine; Douglas Bacon; Scott Everett; Kimberlee McEwan; Bacom, Amber; Chris Cline; Eakins, Shaula; Alan Jones; Dana Jacobsen (Dana.Jacobsen@sol.doi.gov); Sherry Skipper; Nicholas von Stackelberg; Klobardanz, Ryan; Schmidt, Cordel

Subject: Richardson Flat Team Meeting

When: Tuesday, May 11, 2021 10:00 AM-11:00 AM (UTC-07:00) Mountain Time (US & Canada).

Where: TBD

Join Microsoft Teams Meeting

Ex. 6 Personal Privacy (PP)

Local numbers | Reset PIN | Learn more about Teams | Meeting options

Message

From: Parker, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=022E5C1E10C34730B9539F902C4C38DE-PARKER, ROBERT]
Sent: 3/19/2019 3:55:53 PM
To: Laurie Goldner [Redacted]
CC: Walter Plumb III [Redacted]; Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com; Piggott, Amelia [Piggott.Amelia@epa.gov]; Sonia Perez [sonia@gardnercompany.net]; Peterson, Steven D. [petersons@ballardspahr.com]
Subject: RE: Answers to Five Questions
Attachments: RF Interim Screening Level Memo.pdf

Hi Laurie – Yes, this document is sharable and is attached here. I'd like to provide some additional context.

The attached memo documents the development of site specific, screening level concentrations for lead and arsenic for anticipated residential use at Richardson Flat OU2/3. Residential use was selected as it's a conservative land use assumption for risk assessment purposes.

We have yet to complete the risk assessment at this site. Final remediation goals will be a product of site characterization activities and a completed risk assessment. The comparison concentrations provided here are screening level, so these concentrations may not be our final remediation goals for uplands with anticipated residential use. It is anticipated, however, that final residential use remediation goals will be equal to or higher than the concentrations provided here.

Additionally, we have not developed a sitewide list of contaminants of potential concern. Until a list of COPCs is developed through the risk assessment, it's appropriate to characterize for the full suite of metals for comparison to EPA's Regional Screening Levels. For lead and arsenic, these provided site specific screening levels supersede EPA's Regional Screening Levels.

Please let me know if you have questions.

Thanks, Rob

Rob Parker, P.E.
Superfund Remedial Project Manager
US EPA, Region 8, Denver
(303) 312-6664

From: Laurie Goldner <LGoldner@barr.com>
Sent: Monday, March 18, 2019 11:12 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Cc: Walter Plumb III [Redacted]; Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com; Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; Peterson, Steven D. <petersons@ballardspahr.com>
Subject: RE: Answers to Five Questions

Rob-

Is the tech memo Amelia refers to in the email below public information? If so, I would really appreciate it if you could email me a copy.

Thanks so much,

Laurie

Laurie Goldner, PhD

Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com



If you no longer wish to receive marketing e-mails from Barr, respond to communications@barr.com and we will be happy to honor your request.

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Wednesday, March 13, 2019 3:07 PM
To: Peterson, Steven D. <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; Laurie Goldner <LGoldner@barr.com>
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP); bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Steven,

We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 2:19 PM
To: Piggott, Amelia <~~Piggott.Amelia@epa.gov~~>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP); bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Please update us. We are very anxious to conclude this matter. Thanks very much.

Steven D. Peterson

Ballard Spahr
LLP

One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD

www.ballardspahr.com

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, February 12, 2019 12:43 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III { Ex. 6 Personal Privacy (PP) }; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, February 12, 2019 10:35 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III { Ex. 6 Personal Privacy (PP) }; bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Any update on timing?

Steven D. Peterson

ED_006076_00000458-00003

Ballard Spahr LLP

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Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD

www.ballardspahr.com

From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Tuesday, January 29, 2019 8:43 AM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com

Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Wednesday, January 2, 2019 1:40 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

Hi Amelia,

Can you give us an update?

Steven D. Peterson

Ballard Spahr LLP

One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221

801.531.3023 DIRECT
801.531.3001 FAX
petersons@ballardspahr.com
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www.ballardspahr.com

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, December 17, 2018 10:58 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)] McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, December 17, 2018 10:54 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)] bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents resolved your questions, but if you need more information we can talk or schedule a call for the larger group.

Steven D. Peterson

Ballard Spahr
LLP

One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD

ED_006076_00000458-00005

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, December 11, 2018 4:28 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, December 11, 2018 10:09 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

Steven D. Peterson

Ballard Spahr
LLP

One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD

From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Thursday, November 29, 2018 4:27 PM

To: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)] Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Thanks. We will review the answers and get back to you about next steps.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Sonia Perez <sonia@gardnercompany.net>

Sent: Thursday, November 29, 2018 4:24 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; lgoldner@barr.com

Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)] Steven D. Peterson <petersons@ballardspahr.com>; bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com

Subject: Answers to Five Questions

Amelia,

I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.

Sonia Perez

GARDNER COMPANY/ Administrative Assistant

201 South Main St. Ste. 2000

Salt Lake City, Utah 84111

Phone: 801.456.4140

Fax: 801.366.7194

sonia@gardnercompany.net

Message

From: Parker, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=022E5C1E10C34730B9539F902C4C38DE-PARKER, ROBERT]
Sent: 9/19/2017 4:43:47 PM
To: Ryan Burdge [rburdge@skeo.com]
Subject: RE: Richardson Flat
Attachments: Final OU 2-3 Approval documentation 9-10-14.pdf

I've attached the OU2/3 Sampling and Analysis Plan. Searching our records for the other requested documents.

Thanks, Rob

From: Ryan Burdge [mailto:rburdge@skeo.com]
Sent: Monday, September 18, 2017 12:33 PM
To: Parker, Robert <Parker.Robert@epa.gov>
Subject: Richardson Flat

Hi Rob,

I think you said email is best for you this week, but I am available today and Tuesday if you want to touch base about Richardson.

As for documents, we have the historical documents we need and the ones you just provided mostly bridge the gap for the past 5 years. However, there are a few more documents we are hoping you or the PRP could provide:

1. 2012-2016 Annual reports, if available.
2. *Richardson Flat Operations and Maintenance Monitoring Plan* (year unknown)
3. Surface water data: we have surface water data for 2013 and 2015, but no data for 2014, 2016 or 2017. It appears regular sampling may no longer be required, but I do not see data for 2014 in what you provided last week. If available, we would like those data as well.
4. *OU2 and OU3 Sampling and Analysis Plan* (year unknown)
 - o One of the quarterly reports says: "As stated in the OU2 and OU3 Sampling and Analysis Plan, SW discharge from OU1 will be sampled for one year as part of the OU2 and OU3 EE/CA site characterization. Lab results will be included in the OU2 and OU3 quarterly status report."
5. Any documentation that called for the 2012, 2013 and 2014 biotic monitoring you provided last week, or documentation why has not occurred since 2014. This may be addressed in the O&M plan or maybe in the OU2 and OU3 sampling plan?
6. If appropriate, any memos or reports documenting the additional material added to the repository in the past five years. It appears material has been brought over from Silver Creek Village, Treasure Mountain Junior High, and Judge Loading and Alliance Mine features in the past five years.

Also, could you give me your cell number in case we need it this week? Mine is Ex. 6 Personal Privacy (PP)

Unless you would like to meet prior to the inspection, Treat and I will see you Thursday at the site at 10am.

Thanks,
Ryan

Ryan Burdge

Senior Associate

(434) 233-4642 | www.skeo.com

A.

Resort Center Associates/ Plumb

SS-27

ACCESS AND USE LICENSE

This License ("*License*") provided by RESORT CENTER ASSOCIATES, LLC ("*Landowner*") to UNITED PARK CITY MINES COMPANY ("*United Park*") is effective as of the 31st day of October, 2014.

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of a parcel of property with an address of 8840 North Pace Frontage Road in Summit County, Utah and identified as Parcel ID No. SS-27 (the "*Property*"). United Park has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency ("*EPA*"), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities (collectively the "*Site Activities*").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner agrees to provide United Park the following license subject to the following conditions:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities, at their own risk and subject to United Park's understanding that a representative of Landowner may be present when United Park (or its authorized representatives' or contractors') accesses the Property at the representative's own risk and shall not impede or interfere with any Site Activities. All persons entering the Property pursuant to this License do so at their own risk and subject to the understanding that they shall not be considered business invitees and that they accept all risk of and release Landowner from any liability from personal injury that may arise from hidden conditions, livestock, wildlife or other conditions on the Property, whether known or unknown.

2. United Park will provide Landowner a one-time advance written notice (which may be by email) at the beginning of each construction season that Site Activities are to occur on the Property and shall provide an additional telephonic or email notice to

Landowner's representative, Laurie L. Goldner, Ph.D, at 801-322-2050 or lgoldner@sage-env.com sufficiently in advance of sampling on the Property to allow her to be present for those activities. United Park will provide Landowner's representative with copies of all sampling data relating to the Property at the time those data are submitted to EPA.

3. United Park, its authorized representatives and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's real and personal property and/or improvements on the Property and to avoid harming livestock or allowing their escape from the Property.
4. United Park shall obtain and maintain insurance consistent with the requirements specified in Section XXIX of the Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014 (the "AOC").
5. United Park shall be responsible for and shall indemnify and hold harmless Landowner from any third party damages, losses, personal injury or claims, caused solely by United Park's (or its authorized representatives' or contractors') gross negligence or willful misconduct, that occur while in the act of performing the Site Activities, but shall not otherwise be responsible to third parties or Landowner for any damages, losses, personal injury or claims related to the Site Activities. The obligations provided for in the immediately preceding sentence shall survive the completion of the Site Activities by 2 years. In no event shall United Park be responsible for any costs of, or conditions associated with, any response, as that term is defined in 42 U.S.C. § 9601(25), including but not limited to costs of response sought pursuant to 42 U.S.C. §§ 9607 or 9613, or third-party tort claims.
6. United Park (and its authorized representatives' and contractors') shall reasonably endeavor to leave livestock gates in the position in which United Park finds the gates on each day of use.
7. This License shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.
8. This License shall be governed by the laws of the State of Utah.
9. United Park will not record this License unless recordation becomes necessary to effectuate the purposes of the AOC or as otherwise required by EPA and shall not do so without the consent of Landowner.
10. Notices provided pursuant to Paragraphs 2 and 7 of this License (other than the additional notice provided to Landowner's representative pursuant to Paragraph 2) shall

be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

Resort Center Associates, LLC
c/o Robert B. McKinstry, Jr.
Ballard Spahr, LLP
1735 Market Street
Philadelphia, PA 19103
Phone: 215-864-8208
Fax: 215-864-8999
Email: mckinstry@ballardspahr.com

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South State Street, Suite 2200
Salt Lake City, UT 84065
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

11. No part of this License shall constitute or be interpreted or construed as an admission by either party of liability to any federal, state or local agency or other third party under any federal, state or local laws, rules or regulations, or an admission that either party is in violation of or has violated any laws, rules or regulations.

IN WITNESS WHEREOF, Landowner has executed this License as of the date first written above.

RESORT CENTER ASSOCIATES, LLC

By: Walter J. Plummer

Name: Walter J. Plummer

Title: manager

B.

Pace

SS-29

SS-44

SS-49

SS-51-A

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: Charles R Zuercher

Address: 2200 Park Avenue, Bldg B
Park City, UT 84060

Phone: 435.901.1765

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

Summit County Parcels: SS-29, SS-44, SS-49, SS-51-A

Relationship to property: Real Estate Agent for the Pace Properties
(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

Charles R. Zuercher

4/24/2014
Date

Signature

C.

Park City

Lower Reach:

SS-28-A-1-X

SS-28-A-X

SS-27-B-X

Middle Reach:

PCA-92-D-1-X

PCA-92-A-X-X

PCA-88-X

QWTS-1-X

QWTS-2-X

QWTS-3-X

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("Agreement") is made effective as of the 5th day of March, 2015, by and among UNITED PARK CITY MINES COMPANY ("United Park") and PARK CITY MUNICIPAL CORPORATION ("Landowner").

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of a parcel of property depicted on Exhibit A hereto in Summit County, Utah, and identified by Tax Parcel Identification Nos. SS-28-A-X, SS-28-A-1-X, and SS-27-B-X (the "Property"). United Park has agreed to conduct response activities in connection with that certain Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014 ("AOC"), which response activities require that United Park and the U.S. Environmental Protection Agency ("EPA") be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other response activities in connection with the AOC (collectively the "Site Activities").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner and United Park, intending to be legally bound hereby, agree as follows:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowner a one-time advance written notice (which may be by email) at the beginning of each construction season that Site Activities are to occur on the Property, and Landowner and United Park shall take reasonable steps to coordinate the Site Activities and the Landowner's activities on and near the Property; provided, however, that the foregoing shall not give rise to any obligation or impose any requirement that would delay the overall schedule for, or alter, or increase the cost of any of, the Site Activities.
3. United Park, its authorized representatives, and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's and its other grantees' real and presently existing personal property and/or improvements on the Property. After United Park has finished the Site Activities on the Property, and except as otherwise provided or required by EPA, United Park shall abandon any wells established during the performance of the Site Activities in accordance

with applicable laws, shall fill and compact sample holes dug on the Property in connection with the Site Activities, and shall remove any rigs or other equipment from the Property, and shall repair any damage to Landowner's and its other grantees' presently existing personal property or fixtures on the Property caused by United Park during the performance of the Site Activities on the Property.

4. United Park shall obtain and maintain for the duration of this Agreement insurance consistent with the requirements specified in Section XXIX of the AOC and this Agreement. United Park shall provide Landowner with a Certificate of Insurance evidencing: (a) General Liability Insurance written on an occurrence basis with limits no less than two million dollars (\$2,000,000) combined single limit per occurrence and four million dollars (\$4,000,000) aggregate for personal injury, bodily injury, and property damage; (b) Automobile Liability insurance with limits no less than two million dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage; and (c) Workers Compensation insurance limits including bodily injury by accident, \$500,000 each accident, and, by disease, \$500,000 each employee. Landowner shall be named as an additional insured and the endorsement naming the Landowner as an additional insured shall be attached to or included in the Certificate of Insurance.

5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowner and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

Jim Blankenau, P.G.
Environmental Regulatory Program Manager
Park City Municipal Corporation
445 Marsac Avenue, P.O. Box 1480
Park City, UT 84060
Phone: (435) 615-5155
Email: jim.blankenau@parkcity.org

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South State Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by either party of liability to the other, or to any federal, state, or local agency, or other third party under any federal, state, or local laws, rules, or regulations, or an admission that either party is in violation of or has violated any laws, rules, or regulations, and each party reserves any and all of its claims and defenses thereunder, if any, including, without limitation, claims and defenses under CERCLA (42 U.S.C. § 9601 *et seq.*), if any.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

PARK CITY MUNICIPAL CORPORATION

By: 

Name: Diane Foster

Title: City Manager

UNITED PARK CITY MINES COMPANY

By: 

Name: LARRY G. GALT

Title: Vice President



EXHIBIT A
"Property"

CONSENT

Each of Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, the Park City Water Service District, and the Park City Municipal Building Authority hereby acknowledges and agrees that it holds an interest in a portion of Parcel Nos. SS-28-A-X and SS-28-A-1-X pursuant to the Purchase and Sale Agreement by and among Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, the Park City Water Service District, and the Park City Municipal Building Authority, dated as of June 28, 1996. Each of Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, the Park City Water Service District, and the Park City Municipal Building Authority consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5, 2015.

STANDLEY B. PACE

BEVERLY F. PACE

PARK CITY WATER SERVICE DISTRICT

By: Richard B. Beck

Name: Richard B. Beck

Title: Mayor Pro Tem

ARVILL B. PACE

PARK CITY MUNICIPAL BUILDING
AUTHORITY

By: Richard B. Beck

Name: Richard B. Beck

Title: Mayor Pro Tem

PEARL A. PACE

CONSENT

Each of Standley B. Pace and Beverly F. Pace, ~~Arvill B. Pace~~ and ~~Pearl A. Pace~~, the Park City Water Service District, and the Park City Municipal Building Authority hereby acknowledges and agrees that it holds an interest in a portion of Parcel Nos. SS-28-A-X and SS-28-A-1-X pursuant to the Purchase and Sale Agreement by and among Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, the Park City Water Service District, and the Park City Municipal Building Authority, dated as of June 28, 1996. Each of Standley B. Pace and Beverly F. Pace, ~~Arvill B. Pace~~ and ~~Pearl A. Pace~~, the Park City Water Service District, and the Park City Municipal Building Authority consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5, 2015.

STANDLEY B. PACE

*Michael J. Pace, Manager of Pace Family Investments, LLC,
Successor to Standley B. Pace*

BEVERLY F. PACE

*Michael J. Pace, Manager of
Pace Family Investments, LLC,
Successor to Beverly F. Pace*

~~ARVILL B. PACE~~

PARK CITY WATER SERVICE DISTRICT

By: _____

Name: _____

Title: _____

PARK CITY MUNICIPAL BUILDING
AUTHORITY

By: _____

Name: _____

Title: _____

~~PEARL A. PACE~~

CONSENT

Each of Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, and the Park City Municipal Building Authority hereby acknowledges and agrees that it holds an interest in a portion of Parcel Nos. SS-28-A-X and SS-28-A-1-X pursuant to the Special Warranty Deed by and among Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, and the Park City Municipal Building Authority, recorded September 30, 1996 (Entry No. 00464051, Book 00996, Pages 00776-81). Each of Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, and the Park City Municipal Building Authority consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5, 2015.

STANDLEY B. PACE

BEVERLY F. PACE

PARK CITY MUNICIPAL BUILDING
AUTHORITY

By: Richard A. Peak

ARVILL B. PACE

Name: Richard A. Peak

Title: Mayor Pro Tem

PEARL A. PACE

CONSENT

Each of Standley B. Pace and Beverly F. Pace, ~~Arvill B. Pace and Pearl A. Pace~~, and the Park City Municipal Building Authority hereby acknowledges and agrees that it holds an interest in a portion of Parcel Nos. SS-28-A-X and SS-28-A-1-X pursuant to the Special Warranty Deed by and among Standley B. Pace and Beverly F. Pace, Arvill B. Pace and Pearl A. Pace, and the Park City Municipal Building Authority, recorded September 30, 1996 (Entry No. 00464051, Book 00996, Pages 00776-31). Each of Standley B. Pace and Beverly F. Pace, ~~Arvill B. Pace and Pearl A. Pace~~, and the Park City Municipal Building Authority consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5, 2015.

STANDLEY B. PACE

*Michael J. Pace, Manager of Pace Family Investments, LLC
Successor for Standley B. Pace*

BEVERLY F. PACE

*Michael J. Pace, Manager of Pace
Family Investments, LLC.
Successor to Beverly F. Pace*

PARK CITY MUNICIPAL BUILDING
AUTHORITY

By: _____

Name: _____

Title: _____

~~Arvill B. Pace~~

~~Pearl A. Pace~~

CONSENT

Each of Park City Municipal Building Authority and Pace Family Investments, LLC hereby acknowledges and agrees that it holds an interest in a portion of Parcel Nos. SS-28-A-X and SS-28-A-1-X pursuant to the Agricultural Lease by and between Park City Municipal Building Authority and Pace Family Investments, LLC, dated as of July 1, 2014. Each of Park City Municipal Building Authority and Pace Family Investments, LLC consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5, 2015.

PARK CITY MUNICIPAL BUILDING AUTHORITY

By: Richard B. Peek

Name: Richard B. Peek

Title: Mayor Pro Tem

PACE FAMILY INVESTMENTS, LLC

By: _____

Name: _____

Title: _____

CONSENT

Each of Park City Municipal Building Authority and Pace Family Investments, LLC hereby acknowledges and agrees that it holds an interest in a portion of Parcel Nos. SS-28-A-X and SS-28-A-1-X pursuant to the Agricultural Lease by and between Park City Municipal Building Authority and Pace Family Investments, LLC, dated as of July 1, 2014. Each of Park City Municipal Building Authority and Pace Family Investments, LLC consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March, 2015.

PARK CITY MUNICIPAL BUILDING AUTHORITY

By: _____

Name: _____

Title: _____

Pace Brothers Excavation, LLC
~~Pace Family Investments, LLC~~

By: Michael E. Pace

Name: Michael E. Pace

Title: Manager

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("*Agreement*") is made effective as of the 5th day of March, 2015, by and among UNITED PARK CITY MINES COMPANY ("*United Park*") and PARK CITY MUNICIPAL CORPORATION ("*Landowner*").

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of a parcel of property depicted on Exhibit A hereto in Summit County, Utah, and identified by Tax Parcel Identification No. PCA-92-D-1-X (the "*Property*"). United Park has agreed to conduct response activities in connection with that certain Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014 ("*AOC*"), which response activities require that United Park and the U.S. Environmental Protection Agency ("*EPA*") be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other response activities in connection with the AOC (collectively the "*Site Activities*").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner and United Park, intending to be legally bound hereby, agree as follows:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowner a one-time advance written notice (which may be by email) at the beginning of each construction season that Site Activities are to occur on the Property, and Landowner and United Park shall take reasonable steps to coordinate the Site Activities and the Landowner's activities on and near the Property; provided, however, that the foregoing shall not give rise to any obligation or impose any requirement that would delay the overall schedule for, or alter, or increase the cost of any of, the Site Activities.
3. United Park, its authorized representatives, and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's and its other grantees' real and presently existing personal property and/or improvements on the Property. After United Park has finished the Site Activities on the Property, and except as otherwise provided or required by EPA, United Park shall abandon any wells established during the performance of the Site Activities in accordance with applicable laws, shall fill and compact sample holes dug on the Property in connection with

the Site Activities, and shall remove any rigs or other equipment from the Property, and shall repair any damage to Landowner's and its other grantees' presently existing personal property or fixtures on the Property caused by United Park during the performance of the Site Activities on the Property.

4. United Park shall obtain and maintain for the duration of this Agreement insurance consistent with the requirements specified in Section XXIX of the AOC and this Agreement. United Park shall provide Landowner with a Certificate of Insurance evidencing: (a) General Liability insurance written on an occurrence basis with limits no less than two million dollars (\$2,000,000) combined single limit per occurrence and four million dollars (\$4,000,000) aggregate for personal injury, bodily injury, and property damage; (b) Automobile Liability insurance with limits no less than two million dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage; and (c) Workers Compensation insurance limits including bodily injury by accident, \$500,000 each accident, and, by disease, \$500,000 each employee. Landowner shall be named as an additional insured and the endorsement naming the Landowner as an additional insured shall be attached to or included in the Certificate of Insurance.

5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowner and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

Jim Blankenau, P.G.
Environmental Regulatory Program Manager
Park City Municipal Corporation
445 Marsac Avenue, P.O. Box 1480
Park City, UT 84060
Phone: (435) 615-5155
Email: jim.blankenau@parkcity.org

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South State Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: kmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by either party of liability to the other, or to any federal, state, or local agency, or other third party under any federal, state, or local laws, rules, or regulations, or an admission that either party is in violation of or has violated any laws, rules, or regulations, and each party reserves any and all of its claims and defenses thereunder, if any, including, without limitation, claims and defenses under CERCLA (42 U.S.C. § 9601 *et seq.*), if any.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

PARK CITY MUNICIPAL CORPORATION

By: DMP

Name: Diane Tester

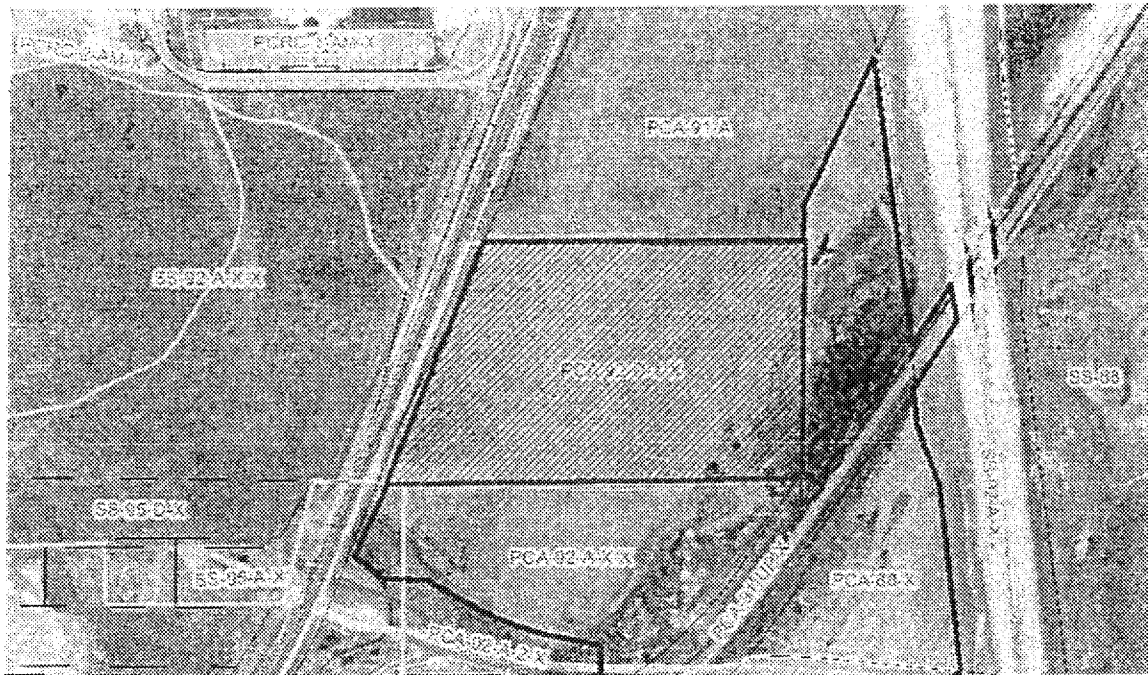
Title: City Manager

UNITED PARK CITY MINES COMPANY

By: Kemp

Name: Kerry C. Gunn

Title: Vice President



0 200 400 800 1,200 1,600 Feet

EXHIBIT A
"Property"

CONSENT

Gillmor Ranching, L.L.C. hereby acknowledges and agrees that it holds an interest in a portion of Parcel No. PCA-92-D-1-X pursuant to the Park City Municipal Corporation License Agreement for Cattle Corral by and between Park City Municipal Corporation and Gillmor Ranching, L.L.C., made as of June 12, 2014 and extended as of _____. Gillmor Ranching, L.L.C. consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5, 2015, 2015.

GILLMOR RANCHING, L.L.C.

By: Edward J. GillmorName: Gillmor Ranching LLCTitle: Pres.

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("*Agreement*") is made effective as of the Saturday of March, 2015, by and among UNITED PARK CITY MINES COMPANY ("*United Park*") and PARK CITY MUNICIPAL CORPORATION ("*Landowner*").

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of a parcel of property depicted on Exhibit A hereto in Summit County, Utah, and identified by Tax Parcel Identification No. PCA-92-A-X-X (the "*Property*"). United Park has agreed to conduct response activities in connection with that certain Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014 ("*AOC*"), which response activities require that United Park and the U.S. Environmental Protection Agency ("*EPA*") be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other response activities in connection with the AOC (collectively the "*Site Activities*").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner and United Park, intending to be legally bound hereby, agree as follows:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowner a one-time advance written notice (which may be by email) at the beginning of each construction season that Site Activities are to occur on the Property, and Landowner and United Park shall take reasonable steps to coordinate the Site Activities and the Landowner's activities on and near the Property; provided, however, that the foregoing shall not give rise to any obligation or impose any requirement that would delay the overall schedule for, or alter, or increase the cost of any of, the Site Activities.
3. United Park, its authorized representatives, and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's and its other grantees' real and presently existing personal property and/or improvements on the Property. After United Park has finished the Site Activities on the Property, and except as otherwise provided or required by EPA, United Park shall abandon any wells established during the performance of the Site Activities in accordance with applicable laws, shall fill and compact sample holes dug on the Property in connection with

the Site Activities, and shall remove any rigs or other equipment from the Property, and shall repair any damage to Landowner's and its other grantees' presently existing personal property or fixtures on the Property caused by United Park during the performance of the Site Activities on the Property.

4. United Park shall obtain and maintain for the duration of this Agreement insurance consistent with the requirements specified in Section XXIX of the AOC and this Agreement. United Park shall provide Landowner with a Certificate of Insurance evidencing: (a) General Liability insurance written on an occurrence basis with limits no less than two million dollars (\$2,000,000) combined single limit per occurrence and four million dollars (\$4,000,000) aggregate for personal injury, bodily injury, and property damage; (b) Automobile Liability insurance with limits no less than two million dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage; and (c) Workers Compensation insurance limits including bodily injury by accident, \$500,000 each accident, and, by disease, \$500,000 each employee. Landowner shall be named as an additional insured and the endorsement naming the Landowner as an additional insured shall be attached to or included in the Certificate of Insurance.

5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowner and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

Jim Blankenau, P.G.
Environmental Regulatory Program Manager
Park City Municipal Corporation
445 Marsac Avenue, P.O. Box 1480
Park City, UT 84060
Phone: (435) 615-5155
Email: jim.blankenau@parkcity.org

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South State Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by either party of liability to the other, or to any federal, state, or local agency, or other third party under any federal, state, or local laws, rules, or regulations, or an admission that either party is in violation of or has violated any laws, rules, or regulations, and each party reserves any and all of its claims and defenses thereunder, if any, including, without limitation, claims and defenses under CERCLA (42 U.S.C. § 9601 *et seq.*), if any.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

PARK CITY MUNICIPAL CORPORATION

By: [Signature]

Name: Diane Foster

Title: City Manager

UNITED PARK CITY MINES COMPANY

By: [Signature]

Name: KERRY C. GREGG

Title: Vice Pres

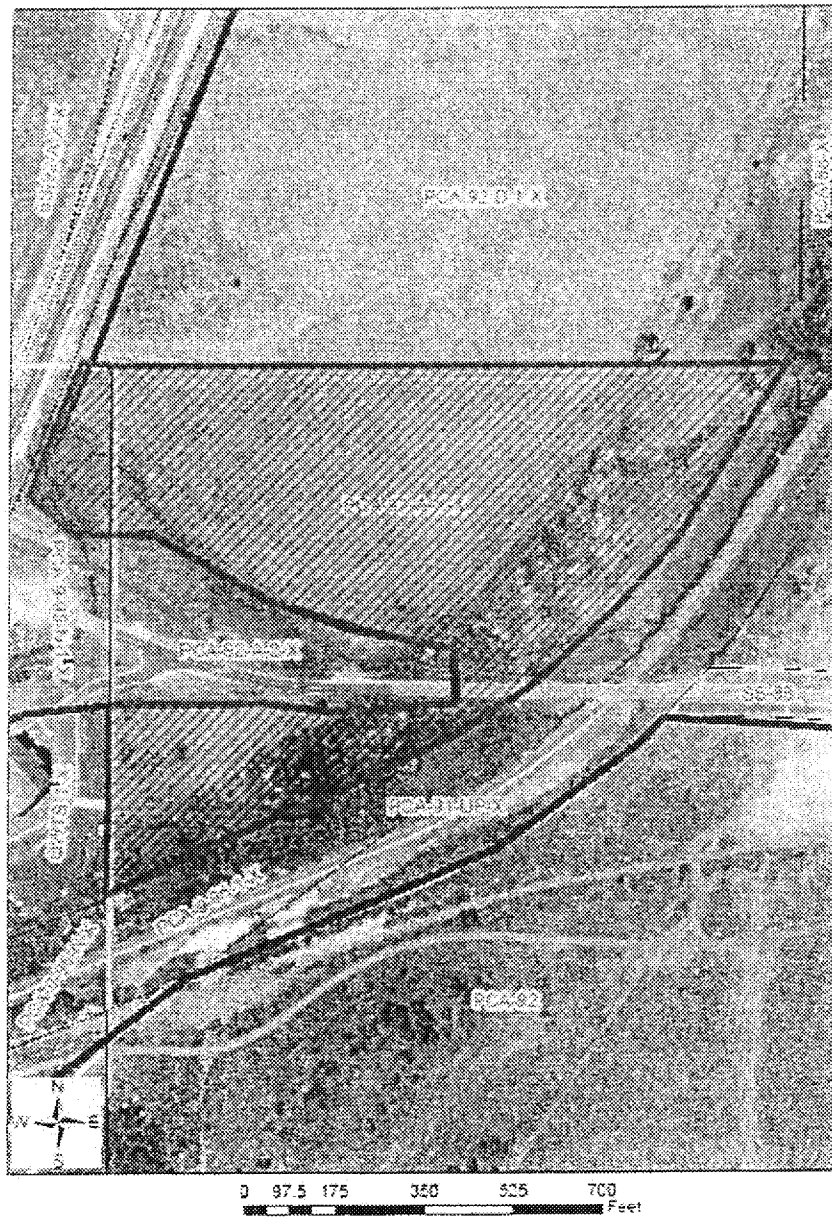


EXHIBIT A
"Property"

CONSENT

Summit Land Conservancy hereby acknowledges and agrees that it holds an interest in a portion of Parcel No. PCA-92-A-X-X pursuant to the following documents:

1. Deed of Conservation Easement Edward Gillmor (Round Valley) by and between Park City Municipal Corporation and Summit Land Conservancy, made as of March 24th, 2005 and recorded March 30, 2005 as Entry No. 00730825.
2. Amended Deed of Conservation Easement Edward Gillmor (Round Valley) by and between Park City Municipal Corporation and Summit Land Conservancy, made as of November 15, 2007 and recorded November 26, 2007 as Entry No. 00831243.

Summit Land Conservancy consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March, 2015.

SUMMIT LAND CONSERVANCY

By: CAW

Name: Cheryl Fox

Title: Executive Director

CONSENT

Gillmor Ranching, L.L.C. hereby acknowledges and agrees that it holds an interest in a portion of Parcel No. PCA-92-A-X-X pursuant to the Park City Municipal Corporation License Agreement for Cattle Corral by and between Park City Municipal Corporation and Gillmor Ranching, L.L.C., made as of June 12, 2014 and extended as of _____, Gillmor Ranching, L.L.C. consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5th 2015, 2015.

GILLMOR RANCHING, L.L.C.

By: Edward J. GillmorName: Gillmor Ranching, L.L.C.Title: Pres.

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("Agreement") is made effective as of the 5th day of March, 2015, by and among UNITED PARK CITY MINES COMPANY ("United Park") and PARK CITY MUNICIPAL CORPORATION ("Landowner").

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of a parcel of property depicted on Exhibit A hereto in Summit County, Utah, and identified by Tax Parcel Identification No. PCA-88-X (the "Property"). United Park has agreed to conduct response activities in connection with that certain Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014 ("AOC"), which response activities require that United Park and the U.S. Environmental Protection Agency ("EPA") be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other response activities in connection with the AOC (collectively the "Site Activities").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner and United Park, intending to be legally bound hereby, agree as follows:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowner a one-time advance written notice (which may be by email) at the beginning of each construction season that Site Activities are to occur on the Property, and Landowner and United Park shall take reasonable steps to coordinate the Site Activities and the Landowner's activities on and near the Property; provided, however, that the foregoing shall not give rise to any obligation or impose any requirement that would delay the overall schedule for, or alter, or increase the cost of any of, the Site Activities.
3. United Park, its authorized representatives, and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's and its other grantees' real and presently existing personal property and/or improvements on the Property. After United Park has finished the Site Activities on the Property, and except as otherwise provided or required by EPA, United Park shall abandon any wells established during the performance of the Site Activities in accordance with applicable laws, shall fill and compact sample holes dug on the Property in connection with

the Site Activities, and shall remove any rigs or other equipment from the Property, and shall repair any damage to Landowner's and its other grantees' presently existing personal property or fixtures on the Property caused by United Park during the performance of the Site Activities on the Property.

4. United Park shall obtain and maintain for the duration of this Agreement insurance consistent with the requirements specified in Section XXIX of the AOC and this Agreement. United Park shall provide Landowner with a Certificate of Insurance evidencing: (a) General Liability insurance written on an occurrence basis with limits no less than two million dollars (\$2,000,000) combined single limit per occurrence and four million dollars (\$4,000,000) aggregate for personal injury, bodily injury, and property damage; (b) Automobile Liability insurance with limits no less than two million dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage; and (c) Workers Compensation insurance limits including bodily injury by accident, \$500,000 each accident, and, by disease, \$500,000 each employee. Landowner shall be named as an additional insured and the endorsement naming the Landowner as an additional insured shall be attached to or included in the Certificate of Insurance.

5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowner and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

Jim Blankenau, P.G.
Environmental Regulatory Program Manager
Park City Municipal Corporation
445 Marsac Avenue, P.O. Box 1480
Park City, UT 84060
Phone: (435) 615-5155
Email: jim.blankenau@parkcity.org

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South State Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by either party of liability to the other, or to any federal, state, or local agency, or other third party under any federal, state, or local laws, rules, or regulations, or an admission that either party is in violation of or has violated any laws, rules, or regulations, and each party reserves any and all of its claims and defenses thereunder, if any, including, without limitation, claims and defenses under CERCLA (42 U.S.C. § 9601 *et seq.*), if any.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

PARK CITY MUNICIPAL CORPORATION

By: [Signature]

Name: Diane Foster

Title: City Manager

UNITED PARK CITY MINES COMPANY

By: [Signature]

Name: KERRY C. GIBB

Title: Vice President

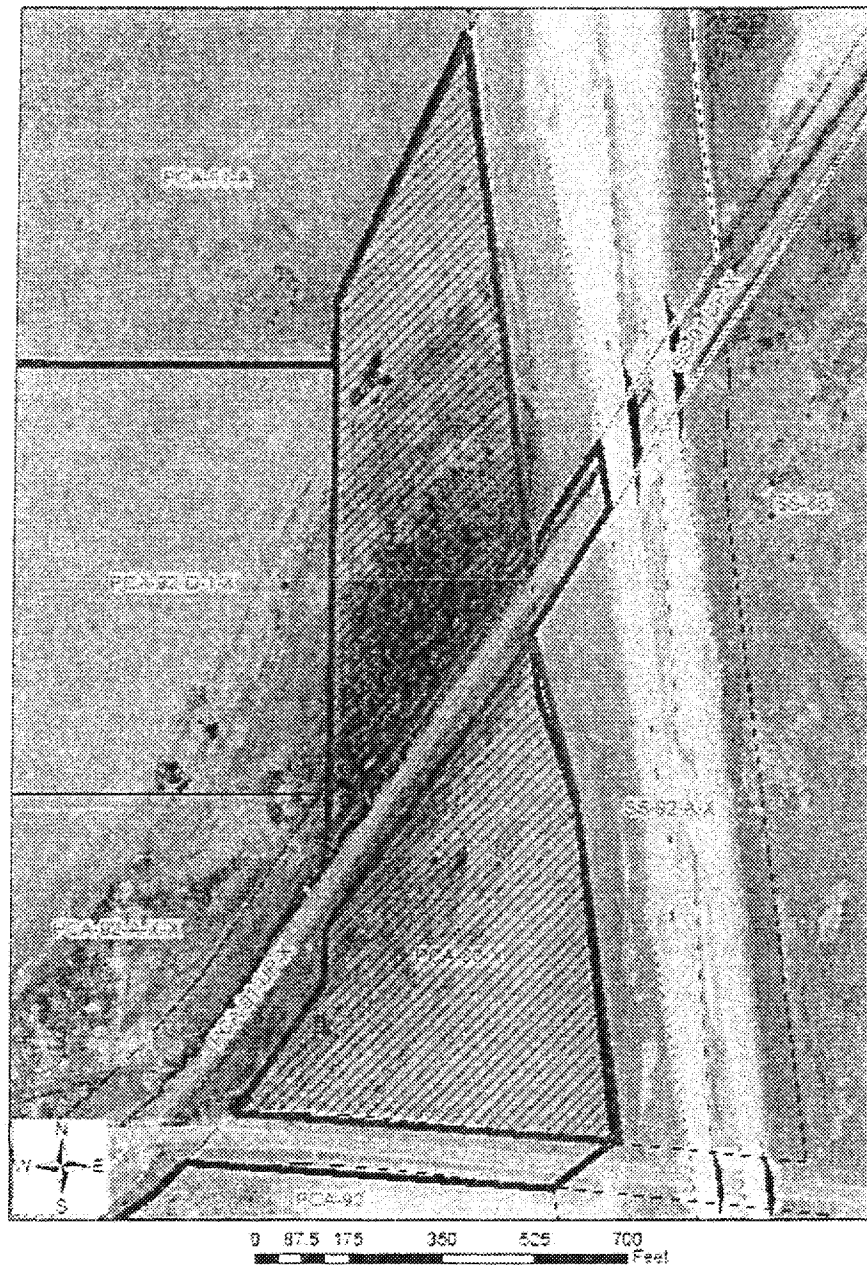


EXHIBIT A
"Property"

CONSENT

Talisker Open Lands Conservancy hereby acknowledges and agrees that it holds an interest in a portion of Parcel No. PCA-88-X pursuant to the Talisker Open Space Deed Restriction by and between United Park City Mines Company and Talisker Open Lands Conservancy, made as of November 2, 2009. Talisker Open Lands Conservancy consents to the Access and Use Agreement by and between United Park City Mines Company and Park City Municipal Corporation dated March 5, 2015.

TALISKER OPEN LANDS CONSERVANCY

By: D/S

Name: David Smith

Title: Authorized Signing Officer

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("*Agreement*") is made effective as of the 5th day of March, 2015, by and among UNITED PARK CITY MINES COMPANY ("*United Park*") and PARK CITY MUNICIPAL CORPORATION ("*Landowner*").

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of a parcel of property depicted on Exhibit A hereto in Summit County, Utah, and identified by Tax Parcel Identification Nos. QWTS-1-X, QWTS-2-X, and QWTS-3-X (the "*Property*"). United Park has agreed to conduct response activities in connection with that certain Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014 ("*AOC*"), which response activities require that United Park and the U.S. Environmental Protection Agency ("*EPA*") be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other response activities in connection with the AOC (collectively the "*Site Activities*").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner and United Park, intending to be legally bound hereby, agree as follows:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowner a one-time advance written notice (which may be by email) at the beginning of each construction season that Site Activities are to occur on the Property, and Landowner and United Park shall take reasonable steps to coordinate the Site Activities and the Landowner's activities on and near the Property; provided, however, that the foregoing shall not give rise to any obligation or impose any requirement that would delay the overall schedule for, or alter, or increase the cost of any of, the Site Activities.
3. United Park, its authorized representatives, and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's and its other grantees' real and presently existing personal property and/or improvements on the Property. After United Park has finished the Site Activities on the Property, and except as otherwise provided or required by EPA, United Park shall abandon any wells established during the performance of the Site Activities in accordance

with applicable laws, shall fill and compact sample holes dug on the Property in connection with the Site Activities, and shall remove any rigs or other equipment from the Property, and shall repair any damage to Landowner's and its other grantees' presently existing personal property or fixtures on the Property caused by United Park during the performance of the Site Activities on the Property.

4. United Park shall obtain and maintain for the duration of this Agreement insurance consistent with the requirements specified in Section XXIX of the AOC and this Agreement. United Park shall provide Landowner with a Certificate of Insurance evidencing: (a) General Liability insurance written on an occurrence basis with limits no less than two million dollars (\$2,000,000) combined single limit per occurrence and four million dollars (\$4,000,000) aggregate for personal injury, bodily injury, and property damage; (b) Automobile Liability insurance with limits no less than two million dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage; and (c) Workers Compensation insurance limits including bodily injury by accident, \$500,000 each accident, and, by disease, \$500,000 each employee. Landowner shall be named as an additional insured and the endorsement naming the Landowner as an additional insured shall be attached to or included in the Certificate of Insurance.

5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowner and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

Jim Blankenau, P.G.
Environmental Regulatory Program Manager
Park City Municipal Corporation
445 Marsac Avenue, P.O. Box 1480
Park City, UT 84060
Phone: (435) 615-5155
Email: jim.blankenau@parkcity.org

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South State Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by either party of liability to the other, or to any federal, state, or local agency, or other third party under any federal, state, or local laws, rules, or regulations, or an admission that either party is in violation of or has violated any laws, rules, or regulations, and each party reserves any and all of its claims and defenses thereunder, if any, including, without limitation, claims and defenses under CERCLA (42 U.S.C. § 9601 *et seq.*), if any.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

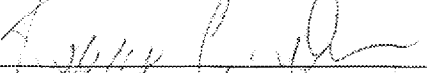
PARK CITY MUNICIPAL CORPORATION

By: 

Name: Diane Taylor

Title: City Manager

UNITED PARK CITY MINES COMPANY

By: 

Name: Kevin R. Murray

Title: Vice Pres

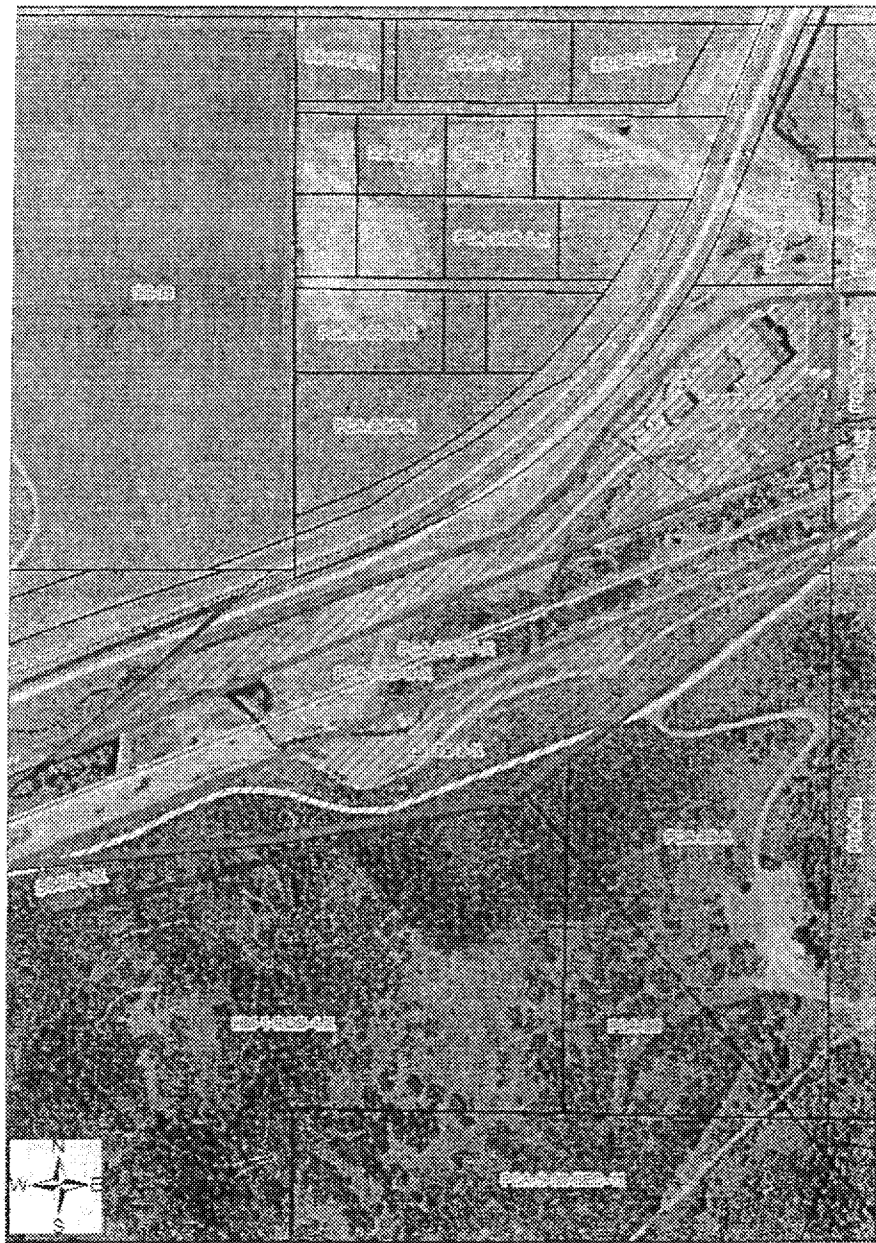


EXHIBIT A
"Property"

C-1.

Park City/ Summit County

SS-57-1-B-X

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("*Agreement*") is made effective as of the 12th day of March, 2015, by and among UNITED PARK CITY MINES COMPANY ("*United Park*") and PARK CITY MUNICIPAL CORPORATION and SUMMIT COUNTY (together "*Landowners*").

BACKGROUND

WHEREAS, Landowners are the record owners and are in possession of a parcel of property depicted on Exhibit A hereto in Summit County, Utah, and identified by Tax Parcel Identification No. SS-57-1-B-X (the "*Property*"). United Park has agreed to conduct response activities in connection with that certain Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014 ("*AOC*"), which response activities require that United Park and the U.S. Environmental Protection Agency ("*EPA*") be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other response activities in connection with the AOC (collectively the "*Site Activities*").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowners and United Park, intending to be legally bound hereby, agree as follows:

1. Landowners hereby consent to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowners a one-time advance written notice (which may be by email) at the beginning of each construction season that Site Activities are to occur on the Property, and Landowners and United Park shall take reasonable steps to coordinate the Site Activities and the Landowners' activities on and near the Property; provided, however, that the foregoing shall not give rise to any obligation or impose any requirement that would delay the overall schedule for, or alter, or increase the cost of any of, the Site Activities.
3. United Park, its authorized representatives, and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowners' and their other grantees' real and presently existing personal property and/or improvements on the Property. After United Park has finished the Site Activities on the Property, and except as otherwise provided or required by EPA, United Park shall abandon any wells established during the performance of the Site Activities in accordance with applicable laws, shall fill and compact sample holes dug on the Property in

connection with the Site Activities, and shall remove any rigs or other equipment from the Property, and shall repair any damage to Landowners' and their other grantees' presently existing personal property or fixtures on the Property caused by United Park during the performance of the Site Activities on the Property.

4. United Park shall obtain and maintain for the duration of this Agreement insurance consistent with the requirements specified in Section XXIX of the AOC and this Agreement. United Park shall provide Landowners with a Certificate of Insurance evidencing: (a) General Liability insurance written on an occurrence basis with limits no less than two million dollars (\$2,000,000) combined single limit per occurrence and four million dollars (\$4,000,000) aggregate for personal injury, bodily injury, and property damage; (b) Automobile Liability insurance with limits no less than two million dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage; and (c) Workers Compensation insurance limits including bodily injury by accident, \$500,000 each accident, and, by disease, \$500,000 each employee. Landowners shall be named as additional insureds (except with respect to Worker's Compensation coverage). Further, the endorsement naming the Landowners as additional insureds shall provide that such insurance coverage is primary and not contributory to any insurance policy maintained by the Landowners and shall be attached to or included in the Certificate of Insurance.

5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowners providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowners and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowners:

Jim Blankenau, P.G.
Environmental Regulatory Program Manager
Park City Municipal Corporation
445 Marsac Avenue, P.O. Box 1480
Park City, UT 84060
Phone: (435) 615-5155
Email: jim.blankenau@parkcity.org

and

Thomas C. Fisher
County Manager
Summit County
Summit County Courthouse
60 N. Main Street, P.O. Box 128
Coalville, UT 84017

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South State Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by any party of liability to any other, or to any federal, state, or local agency, or other third party under any federal, state, or local laws, rules, or regulations, or an admission that any party is in violation of or has violated any laws, rules, or regulations, and each party reserves any and all of its claims and defenses thereunder, if any, including, without limitation, claims and defenses under CERCLA (42 U.S.C. § 9601 *et seq.*), if any.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

PARK CITY MUNICIPAL CORPORATION

By: DMP

Name: Diane Foster

Title: City Manager

SUMMIT COUNTY

By: Thomas C. Fisher 3/19/2015

Name: THOMAS C. FISHER

Title: COUNTY MANAGER

UNITED PARK CITY MINES COMPANY

By: Ray C. Gah

Name: RAY C. GAH

Title: Vice Pres

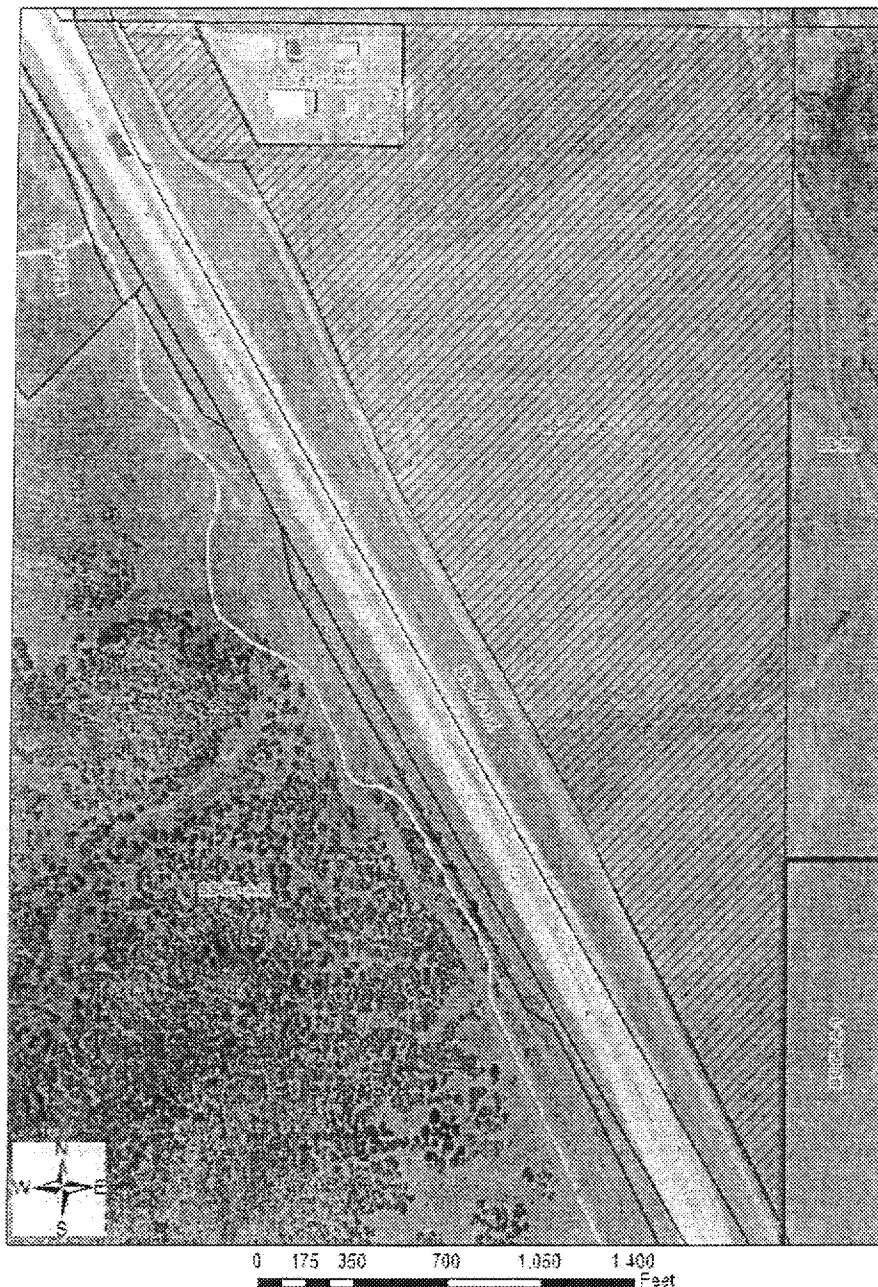


EXHIBIT A
"Property"

D.

Johnson International (Promontory)

SS-44-B

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: JOHNSON INTERNATIONAL INC.

Address: 5230 EAST 54TH #200
SCOTTSDALE AZ

Phone: 480-798-3300

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

5544-B

Relationship to property: OWNER
(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

5/12/14
Date

[Signature]
Signature

E.

South Summit School District

SS-51-C-2-X

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: South Summit School District Board of Education

Address: 285 East 400 South
Kamas, Utah 84036

Phone: 1-435-783-4301

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

Parcel # SS-51-C-2-X
Account # 0405617

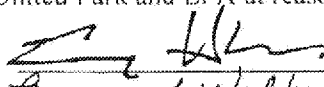
Relationship to property: Owner
(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

4-24-14
Date


Barry S. Walker
Superintendent
Signature

F.

Park City Fire District

SS-51-C-1-X

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: PARK CITY FIRE DISTRICT
Address: 736 WEST BITNER ROAD
PARK CITY, UTAH
Phone: 435-940-2500

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

SS-51-C-1-X

Relationship to property:
(i.e., owner, tenant, etc.)

OWNER

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

4/24/2014
Date

[Signature]
FIRE CHIEF
Signature

G.

Florence Gillmor

SS-47

SS-50

SS-56

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("*Agreement*") is made effective as of the 12 day of January, 2015 by and among UNITED PARK CITY MINES COMPANY ("*United Park*") and THE ESTATE OF FLORENCE J. GILLMOR ("*Landowner*").

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of parcels of property in the Pace Meadows area of Summit County, Utah and identified as Parcel ID Nos. SS-47, SS-50, and SS-56 (the "*Property*"). United Park has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency ("*EPA*"), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities (collectively the "*Site Activities*").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner and United Park, intending to be legally bound hereby, agree as follows:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowner a one-time 24 hour advance written notice when the first of the Site Activities is to occur.
3. United Park, its authorized representatives and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's real and personal property and/or improvements on the Property and to avoid harming livestock or allowing their escape from the Property.
4. United Park shall obtain and maintain insurance consistent with the requirements specified in Section XXIX of the Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014.

5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowner and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

Estate of Florence J. Gillmor
c/o David R. Bird
Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, UT 84111
Phone: 801-536-6824
Fax: 801-536-6111
Email: DBird@parsonsbehle.com

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by either party of liability to any federal, state or local agency or other third party under any federal, state or local laws, rules or regulations, or an admission that either party is in violation of or has violated any laws, rules or regulations.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement
as of the date first written above.

THE ESTATE OF FLORENCE J. GILLMOR

By: James B Lee

Name: JAMES B LEE

Title: PERSONAL REPRESENTATIVE

UNITED PARK CITY MINES COMPANY

By: [Signature]

Name: [Signature]

Title: [Signature]

H.

Ed Gillmor

SS-56-A-1-A

ACCESS AND USE AGREEMENT

This Access and Use Agreement ("Agreement") is made effective 20 May 2014 by and among United Park City Mines Company ("United Park") and Edward L. Gillmor, Jr. ("Gillmor").

BACKGROUND

Gillmor is the record owner and is in possession of a parcel of property in the Pace Meadows area of Summit County, Utah, consisting of Summit County Tax I.D. No. SS-56-A-1-A (the "Site"). United Park has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency ("EPA"), which response activities require that United Park and EPA be granted entry and access to the Site pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

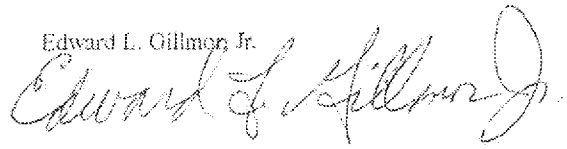
United Park and EPA desire access to the Site for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Site); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities (collectively the "Site Activities").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Gillmor and United Park, intending to be legally bound hereby, agree as follows:

1. Gillmor hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Site for the purposes of conducting the Site Activities.
2. United Park, its authorized representatives and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Gillmor's real and personal property and/or improvements on the Site and to avoid harming livestock or allowing their escape from the Site.
3. United Park shall obtain and maintain insurance consistent with the requirements specified in Section XXIX of the Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014.
4. United Park shall be responsible for and shall indemnify, hold harmless and release Gillmor from any damages, losses, personal injury or claims caused solely by United Park's (or its authorized representatives' or contractors') performance of the Site Activities. The obligations provided for in the immediately preceding sentence shall survive the completion of the Site Activities by 2 years.
5. This Agreement shall terminate upon United Park completing the Site Activities or upon Gillmor providing 120 days' advance written notice to United Park that it has terminated the Agreement.
6. This Agreement constitutes the entire agreement between Gillmor and United Park concerning access to the Site for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

Edward L. Gillmon Jr.



United Park City Mines Company

By:

Name:

Title:

1/1/2010

I.

Charlie Gillmor

SS-56-A-1

ACCESS AND USE AGREEMENT

Feb. 17/14
This Access and Use Agreement ("Agreement") is made effective as of the 17 day of February, 2015 by and among UNITED PARK CITY MINES COMPANY ("United Park") and CHARLIE GILLMOR ("Landowner").

BACKGROUND

WHEREAS, Landowner is the record owner and is in possession of parcels of property located in Summit County, Utah and identified as Parcel ID No[s]. SS-56-A-1 (the "Property"). United Park has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency ("EPA"), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

WHEREAS, United Park and EPA desire access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities (collectively the "Site Activities").

NOW, THEREFORE, in order to facilitate the performance of the Site Activities, and in consideration of the promises, mutual covenants, and agreements contained herein, Landowner and United Park, intending to be legally bound hereby, agree as follows:

1. Landowner hereby consents to officers, employees, agents, and authorized representatives of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the purposes of conducting the Site Activities.
2. United Park will provide Landowner a one-time 24 hour advance written notice when the first of the Site Activities is to occur.
3. United Park, its authorized representatives and contractors shall carry out the Site Activities at reasonable times and in a manner approved by EPA, taking reasonable steps intended to minimize damage to Landowner's real and personal property and/or improvements on the Property [and to avoid harming livestock or allowing their escape from the Property].
4. United Park shall obtain and maintain insurance consistent with the requirements specified in Section XXIX of the Administrative Settlement Agreement and Order on Consent for EE/CA Investigation and Removal Action dated March 6, 2014.
5. This Agreement shall terminate upon United Park completing the Site Activities or upon Landowner providing 120 days' advance written notice to United Park that it has terminated the Agreement.

6. This Agreement constitutes the entire agreement between Landowner and United Park concerning access to the Property for the purpose of conducting the Site Activities and may not be modified or amended except in writing signed by the parties.

7. This Agreement shall be governed by the laws of the State of Utah.

8. Notices provided pursuant to Paragraphs 2 and 5 of this Agreement shall be deemed given when received and shall be delivered to the addressees set forth below either by (i) facsimile with a copy delivered by overnight delivery, (ii) email with a copy delivered by overnight delivery, or (iii) certified mail, return receipt requested.

If to Landowner:

G-Bar Ventures, LLC
Charlie Gillmor
3819 South 2000 East
Salt Lake City, Utah 84109
(801-971-4171)

If to United Park:

United Park City Mines Company
c/o Kevin R. Murray
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, UT 84101
Phone: 801-799-5919
Fax: 801-618-4123
Email: krmurray@hollandhart.com

9. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but each of which together shall constitute one and the same instrument.

10. No part of this Agreement shall constitute or be interpreted or construed as an admission by either party of liability to any federal, state or local agency or other third party under any federal, state or local laws, rules or regulations, or an admission that either party is in violation of or has violated any laws, rules or regulations.

IN WITNESS WHEREOF, the parties hereto have executed this Access and Use Agreement as of the date first written above.

G BAR VENTURES, LLC

By: Charles F. Gillmor

Name: Charles Gillmar

Title: manager

UNITED PARK CITY MINES COMPANY

By: [Signature]

Name: KERRY C. Gage

Title: Vice Pres

J.

Nadine Gillmor

SS-56-A

SS-64-A

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: Marlene Williams / Eric Williams

Address: **Ex. 6 Personal Privacy (PP)**

Phone: **Ex. 6 Personal Privacy (PP)**

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

SE 56-A
SE 64-A

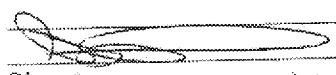
Relationship to property: Owner
(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig; (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

07-23-14
Date


Signature Eric Williams
Land manager.

K.

Forestdale Investments

SS-65-A-8(-A)

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name:

Forestdale Investments, LLC

Address:

911 So. Rio Grande St
Soc ut 84101

Phone:

801-550-7629

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

SS-65-A-8 (A)

Relationship to property:

Owner.

(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

Date

5/8/2014

Signature

Vaughn D. Burbidge, Manager
Forestdale Investments, LLC

L.

Geneva Rock

SS-65-B

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: Geneva Rock Products

Address: P.O. Box 1955
Green UT 84059

Phone: 801-802-6900

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted: 0206965-55-65-B

Relationship to property: Owner
(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

May 20, 2014
Date

[Signature]
Prop Mgr
Signature

M.

RDB

SS-65-A-6

SS-65-A-5

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: RDB, LLC, a Utah Limited Liability Company

Address: 215 S. State Street, Suite 920
Salt Lake City, Utah 84110

Phone: (801) 355-6677

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

SS-65-A-6

SS-65-A-5


Relationship to property: Owner
(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

April 30, 2014
Date


RDB, LLC, a Utah Limited Liability Company
By: Richard D. Burbidge, Manager

N.

Stoly

SS-65-A-3

CONSENT FOR ENTRY AND ACCESS TO PROPERTY

Name: Stoly Associates, LC

Address: P.O. Box 27206
Salt Lake City, Utah 84127-0206

Phone: (801) 952-3720

Address or Summit County Tax I.D. No. of property for which consent for entry and access is being granted:

Parcel SS-65-A-3

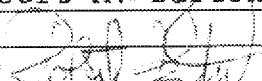
Relationship to property: Owner
(i.e., owner, tenant, etc.)

I, the undersigned, am the owner or the owner's authorized representative, or otherwise control the real property identified above (the "Property"). I understand that United Park City Mines Company ("United Park") has agreed to conduct response activities pursuant to requests by the U.S. Environmental Protection Agency (EPA), which response activities require that United Park and EPA be granted entry and access to the Property pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 *et seq.*

I consent to officers, employees, and authorized representatives and agents of United Park and EPA, including their authorized contractors, entering and having continued access to the Property for the following purposes: (i) taking such samples as may be deemed necessary (including for example, (a) collecting subsurface samples using a direct push rig, (b) collecting surficial soil samples; (c) installing and sampling small diameter, shallow wells; (d) collecting surface water samples and flow measurements; (e) collecting stream sediment samples; and (f) conducting a survey of the sample locations on the Property); and (ii) performing remediation and other activities directed by EPA in an Action Memorandum to be published by EPA upon the conclusion of investigatory activities.

This written consent and permission is given voluntarily with knowledge of the right to refuse, and without threats or promises by EPA or United Park of any kind. I certify that this Consent for Entry and Access is entered into voluntarily and constitutes an unconditional consent and grant of permission for access to the Property by officers, employees, and authorized representatives, agents, and contractors of United Park and EPA at reasonable times.

December 11, 2014
Date

Stoly Associates, LC
By: Robert A. Burton, Manager
Signature 

date of access	pg of pdf	parcel	landowner
10/31/2014	2	SS-27	Resort Center Associates, LLC
4/24/2014	6	ss-29	Pace Properties
4/24/2014	6	ss-44	Pace Properties
4/24/2014	6	ss-49	Pace Properties
4/24/2014	6	ss-51-a	Pace Properties
3/5/2015	8	SS-28-A-1-X	Park City
3/5/2015	8	SS-28-a-X	Park City
3/5/2015	8	SS-27-B-X	Park City
3/5/2015	18	PCA-92-D-1-X	Park City
3/5/2015	23	PCA-92-A-X-X	Park City
3/5/2015	29	PCA-88-X	Park City
3/5/2015	34	QWTS-1-X	Park City
3/5/2015	34	QWTS-2-X	Park City
3/5/2015	34	QWTS-3-X	Park City
3/12/2015	39	SS-57-1-B-X	Summit County and Park City
5/12/2014	45	SS-44-B	Johnson Internation Inc
4/24/2014	47	SS-51-C-2-X	South Summit County Schools
4/24/2014	49	CC-51-C-1-X	Park City Fire District
1/16/2015	51	SS-47	Estate of Florence J Gillmor
1/16/2015	51	SS-50	Estate of Florence J Gillmor
1/16/2015	51	SS-56	Estate of Florence J Gillmor
5/20/2014	55	SS-56-A-1-A	Ed Gillmor
2/2/2015	58	SS-56-A-1	Charlie Gillmor
7/23/2014	62	SS-56-A	Nadine Gillmor/Eric Williams
7/23/2014	62	SS-64-A	Nadine Gillmor/Eric Williams
5/8/2014	64	SS-65-A-8(-A)	Forestdale Investments, LLC
5/20/2014	66	SS-65-B	Geneva Rock
4/30/2014	68	SS-65-A-6	RDB, LLC
4/30/2014	68	SS-65-A-5	RDB, LLC
12/11/2014	70	SS-65-A-3	Stoly Associates

poc	email	phone	poc
Robert B. McKinstry, Jr.	mckinstry@ballardspahr.com	215-864-8208	Laurie Goldner

Ex. 6 Personal Privacy (PP)

Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155	
Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155	
Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155	
Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155	
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Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155	
Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155	
Tom Fisher			Jim Blankenau
?		480-998-3300	
		435-783-4301	
		435-940-2500	
David Bird	dbird@parsonsbehle.com	801-536-6824	
David Bird	dbird@parsonsbehle.com	801-536-6824	
David Bird	dbird@parsonsbehle.com	801-536-6824	
G-Bar Ventures, LLC; Charlie Gillmore	3819 South 2000 East, SLC, UT, 84109	801-971-4171	
		435-783-5250	
		435-783-5250	
Vaughn D Burbidge, Mgr		801-550-7629	
		801-802-6900	
Richard Burbidge, Mgr		801-355-6677	
Richard Burbidge, Mgr		801-355-6677	
Robert A Burton		801-952-3720	

email

lgoldner@sage-env.com

phone

801-322-2050

jim.blankenau@parkcity.org

435-615-5155

notes

no requirement to notify

no requirement to notify

no requirement to notify

no requirement to notify

Pace hold interest; provided consent form

Pace hold interest; provided consent form

Gilmor Ranching hold interest; provided consent

Summit Land Conservancy and Gillmor Ranching holds interest; provided consent form

Talisker Open Lands Conservancy holds interest; provided consent form

24 hour written notice required

24 hour written notice

no requirement for notice

no requirement for notice

no requirement for notice

no requirement for notice

no requirement for notice

date of access	pg of pdf	parcel	landowner
10/31/2014	2	SS-27	Resort Center Associates, LLC
4/24/2014	6	ss-29	Pace Properties
4/24/2014	6	ss-44	Pace Properties
4/24/2014	6	ss-49	Pace Properties
4/24/2014	6	ss-51-a	Pace Properties
3/5/2015	8	SS-28-A-1-X	Park City
3/5/2015	8	SS-28-a-X	Park City
3/5/2015	8	SS-27-B-X	Park City
3/5/2015	18	PCA-92-D-1-X	Park City
3/5/2015	23	PCA-92-A-X-X	Park City
3/5/2015	29	PCA-88-X	Park City
3/5/2015	34	QWTS-1-X	Park City
3/5/2015	34	QWTS-2-X	Park City
3/5/2015	34	QWTS-3-X	Park City
3/12/2015	39	SS-57-1-B-X	Summit County and Park City
5/12/2014	45	SS-44-B	Johnson Internation Inc
4/24/2014	47	SS-51-C-2-X	South Summit County Schools
4/24/2014	49	CC-51-C-1-X	Park City Fire District
1/16/2015	51	SS-47	Estate of Florence J Gillmor
1/16/2015	51	SS-50	Estate of Florence J Gillmor
1/16/2015	51	SS-56	Estate of Florence J Gillmor
5/20/2014	55	SS-56-A-1-A	Ed Gillmor
2/2/2015	58	SS-56-A-1	Charlie Gillmor
7/23/2014	62	SS-56-A	Nadine Gillmor/Eric Williams
7/23/2014	62	SS-64-A	Nadine Gillmor/Eric Williams
5/8/2014	64	SS-65-A-8(-A)	Forestdale Investments, LLC
5/20/2014	66	SS-65-B	Geneva Rock
4/30/2014	68	SS-65-A-6	RDB, LLC
4/30/2014	68	SS-65-A-5	RDB, LLC
12/11/2014	70	SS-65-A-3	Stoly Associates

poc
Robert B McKinstry, Jr
Charles Zuercher
Charles Zuercher
Charles Zuercher
Charles Zuercher

email
mckinstry@ballardspahr.com

phone
215-864-8208

Ex. 6 Personal Privacy (PP)

Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155
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Jim Blankenau	jim.blankenau@parkcity.org	435-615-5155
Tom Fisher		
?		480-998-3300
		435-783-4301
		435-940-2500
David Bird	dbird@parsonsbehle.com	801-536-6824
David Bird	dbird@parsonsbehle.com	801-536-6824
David Bird	dbird@parsonsbehle.com	801-536-6824

G-Bar Ventures, LLC; Ex. 6 Personal Privacy (PP)

	435-783-5250
	435-783-5250
Vaughn D Burbidge, Mgr	801-550-7629
	801-802-6900
Richard Burbidge, Mgr	801-355-6677
Richard Burbidge, Mgr	801-355-6677
Robert A Burton	801-952-3720

poc
Laurie Goldner

email
lgoldner@sage-env.com

phone
801-322-2050

Jim Blankenau

jim.blankenau@parkcity.org

435-615-5155

charlesgillmor@gbarventures.com

notes

Notification needed

no requirement to notify

no requirement to notify

no requirement to notify

no requirement to notify

Notification needed

Notification needed

Notification needed

Notification needed

Notification needed

Notification needed

Notification needed

Notification needed

Notification needed

Notification needed

no requirement to notify

no requirement to notify

no requirement to notify

24 hour written notice required

24 hour written notice required

24 hour written notice required

no requirement to notify

24 hour written notice

no requirement to notify

no requirement to notify

no requirement for notice

no requirement for notice

no requirement for notice

no requirement for notice

no requirement for notice

Message

From: Piggott, Amelia [Piggott.Amelia@epa.gov]
Sent: 4/28/2021 4:13:03 PM
To: Madigan, Andrea [Madigan.Andrea@epa.gov]; Parker, Robert [Parker.Robert@epa.gov]; Hogue, Matthew [Hogue.Matthew@epa.gov]
Subject: RE: Summit County- additional request to settle

Sounds good, thanks.

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Madigan, Andrea <Madigan.Andrea@epa.gov>
Sent: Wednesday, April 28, 2021 10:01 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Parker, Robert <Parker.Robert@epa.gov>; Hogue, Matthew <Hogue.Matthew@epa.gov>
Subject: RE: Summit County- additional request to settle

Ex. 5 AC/AWP

Andrea Madigan
CERCLA Enforcement Section Chief
Office of Regional Counsel
US EPA Region 8
1595 Wynkoop Street
Denver, Colorado 80202
(303) 312-6904
madigan.andrea@epa.gov

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, April 27, 2021 10:00 AM
To: Parker, Robert <Parker.Robert@epa.gov>; Hogue, Matthew <Hogue.Matthew@epa.gov>; Madigan, Andrea <Madigan.Andrea@epa.gov>
Subject: Summit County- additional request to settle

Ex. 5 AC/AWP

Ex. 5 AC/AWP

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

Message

From: Laurie Goldner [LGoldner@barr.com]
Sent: 10/26/2018 5:27:59 PM
To: Parker, Robert [Parker.Robert@epa.gov]
CC: 'bobby@robertbmckinstryjr.com' [bobby@robertbmckinstryjr.com]; Peterson, Steven D. [petersons@ballardspahr.com]; Walter Plumb
Subject: FW: Richardson Flats - Pace Ranch

Ex. 6 Personal Privacy (PP)

Rob, please see below... thanks!

Laurie Goldner, PhD
Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com



If you no longer wish to receive marketing e-mails from Barr, respond to communications@barr.com and we will be happy to honor your request.

From: Robert B McKinstry Jr. <bobby@robertbmckinstryjr.com>
Sent: Friday, October 26, 2018 11:11 AM
To: Laurie Goldner <LGoldner@barr.com>
Cc: 'Peterson, Steven D.' <petersons@ballardspahr.com>; 'Walter Plumb'
Subject: RE: Richardson Flats - Pace Ranch

Ex. 6 Personal Privacy (PP)

Hi Laurie,

I just spoke with Amelia, who tells me that she has drafted a BFPP Agreement, but she still needs to receive comments and approvals from others in EPA and DOJ. You could let Rob know this and that it would be helpful if the technical issues could be resolved while that process is occurring rather than further delaying the process by waiting until the Agreement has been finalized. It will also be helpful to know if there are any technical issues that we will need to address during the negotiation of the Agreement.

Bobby

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd
Kennett Square, PA 19348
robert.mckinstry@gmail.com
bobby@robertbmckinstryjr.com
h/w 610-444-4449
c 484-467-3207

From: Laurie Goldner [mailto:LGoldner@barr.com]
Sent: Friday, October 26, 2018 1:02 PM
To: 'Parker, Robert' <Parker.Robert@epa.gov>
Cc: 'bobby@robertbmckinstryjr.com' <bobby@robertbmckinstryjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plumb <Walter.Plumb@epa.gov> Ex. 6 Personal Privacy (PP)
Subject: FW: Richardson Flats - Pace Ranch
Importance: High

Rob-

Hope you're doing well! Please see the email chain below. We have not yet received a draft Bona Fide Prospective Purchaser Agreement from Amelia, but assume that it is in process. In the meantime, we would like to move forward with developing a SAP/QAPP. Would you have some time next week to discuss the details of an appropriate sampling strategy? Is there any information that you would need before we have that discussion, other than the current development plan? I'm generally open next week, so please suggest a time that works for you.

Best regards,

Laurie

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Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, October 2, 2018 4:03 PM
To: robert.mckinstry@gmail.com
Cc: Walter Plumb <Walter.Plumb@epa.gov> Ex. 6 Personal Privacy (PP); Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson' <petersons@ballardspahr.com> Ex. 6 Personal Privacy (PP)
Subject: RE: Richardson Flats - Pace Ranch

Thanks, Bobby. I will get started drafting and keep you posted.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: robert.mckinstry@gmail.com [mailto:robert.mckinstry@gmail.com]
Sent: Tuesday, October 2, 2018 11:40 AM

To: Piggott, Amelia <Dinnatt.Amelia@ana.ny>

Cc: Walter Plumb; Ex. 6 Personal Privacy (PP) Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'

Ex. 6 Personal Privacy (PP) Peterson, Steven D. <petersons@ballardspahr.com>

Subject: Richardson Flats - Pace Ranch

Dear Amelia,

This will confirm that the owner of Pace Ranch is willing to negotiate a Bona Fide Prospective Purchaser Agreement with EPA regarding its proposed development of Pace Ranch. The entity owning Pace Ranch is Resort Center Associates, LLC. The approved development is for 18 lots on 153 acres. The lots themselves average 1.8 acres. Approximately 100 acres is deed restricted so that no development may take place. As I mentioned, both a Phase I and Phase II were conducted before acquisition of the property. As a result of the Phase I, the floodplain was subdivided and transferred to a municipality before Resort Center Associates, LLC took title. A Phase II was conducted on the remaining property before RSA took title and did not show any contamination.

As I understand it, Laurie Goldner will now contact the RPM and will be able to negotiate the terms of the sampling plan and you will draft a proposed agreement.

Thanks.

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd
Kennett Square Pa 19348
Robert.mckinstry@gmail.com
610-444-4449
484-467-3207

Message

From: Piggott, Amelia [Piggott.Amelia@epa.gov]
Sent: 10/26/2018 5:09:46 PM
To: Parker, Robert [Parker.Robert@epa.gov]
Subject: RE: Richardson Flats - Pace Ranch

Ex. 5 Attorney Client (AC)

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Parker, Robert
Sent: Friday, October 26, 2018 11:08 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: FW: Richardson Flats - Pace Ranch
Importance: High

Ex. 5 Attorney Client (AC)

Rob

From: Laurie Goldner [mailto:LGoldner@barr.com]
Sent: Friday, October 26, 2018 11:02 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Cc: 'bobby@robertbmckinstvjr.com' <bobby@robertbmckinstvjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plumb
Subject: FW: Richardson Flats - Pace Ranch
Importance: High

Ex. 6 Personal Privacy (PP)

Rob-

Hope you're doing well! Please see the email chain below. We have not yet received a draft Bona Fide Prospective Purchaser Agreement from Amelia, but assume that it is in process. In the meantime, we would like to move forward with developing a SAP/QAPP. Would you have some time next week to discuss the details of an appropriate sampling strategy? Is there any information that you would need before we have that discussion, other than the current development plan? I'm generally open next week, so please suggest a time that works for you.

Best regards,

Laurie

Laurie Goldner, PhD

Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, October 2, 2018 4:03 PM
To: robert.mckinstry@gmail.com
Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)** Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'
Ex. 6 Personal Privacy (PP) Peterson, Steven D. <petersons@ballardspahr.com>
Subject: RE: Richardson Flats - Pace Ranch

Thanks, Bobby. I will get started drafting and keep you posted.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: robert.mckinstry@gmail.com [<mailto:robert.mckinstry@gmail.com>]
Sent: Tuesday, October 2, 2018 11:40 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)** Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'
Ex. 6 Personal Privacy (PP) Peterson, Steven D. <petersons@ballardspahr.com>
Subject: Richardson Flats - Pace Ranch

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As I understand it, Laurie Goldner will now contact the RPM and will be able to negotiate the terms of the sampling plan and you will draft a proposed agreement.

Thanks.

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd

Kennett Square Pa 19348
Robert.mckinstry@gmail.com
610-444-4449
484-467-3207

Message

From: Laurie Goldner [LGoldner@barr.com]
Sent: 10/26/2018 9:05:48 PM
To: Parker, Robert [Parker.Robert@epa.gov]
CC: 'bobby@robertbmckinstryjr.com' [bobby@robertbmckinstryjr.com]; Peterson, Steven D. [petersons@ballardspahr.com]; Walter Plumb [Ex. 6 Personal Privacy (PP)] Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: RE: Richardson Flats - Pace Ranch

Thanks, Rob, that's understandable. In the meantime I've obtained the most current development plan that I will share with you when we're ready to proceed.

Laurie

Laurie Goldner, PhD
Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com



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From: Parker, Robert <Parker.Robert@epa.gov>
Sent: Friday, October 26, 2018 1:23 PM
To: Laurie Goldner <LGoldner@barr.com>
Cc: 'bobby@robertbmckinstryjr.com' <bobby@robertbmckinstryjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plumb [Ex. 6 Personal Privacy (PP)] Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: RE: Richardson Flats - Pace Ranch

Hi Laurie, I understand Amelia has sent along questions from our management to Bobby. At this time, we want to ensure we understand the answers to those questions prior to proceeding with a discussion on technical approach.

Thanks, Rob

Rob Parker, P.E.
Superfund Remedial Project Manager
US EPA, Region 8, Denver
(303) 312-6664

From: Laurie Goldner [mailto:LGoldner@barr.com]
Sent: Friday, October 26, 2018 11:02 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Cc: 'bobby@robertbmckinstryjr.com' <bobby@robertbmckinstryjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plumb [Ex. 6 Personal Privacy (PP)]

Subject: FW: Richardson Flats - Pace Ranch

Importance: High

Rob-

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LGoldner@barr.com
www.barr.com



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Tuesday, October 2, 2018 4:03 PM

To: robert.mckinstry@gmail.com

Cc: [Walter Plumb](#); **Ex. 6 Personal Privacy (PP)**; Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'

Ex. 6 Personal Privacy (PP); Peterson, Steven D. <petersons@ballardspahr.com>

Subject: RE: Richardson Flats - Pace Ranch

Thanks, Bobby. I will get started drafting and keep you posted.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: robert.mckinstry@gmail.com [<mailto:robert.mckinstry@gmail.com>]

Sent: Tuesday, October 2, 2018 11:40 AM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>

Cc: [Walter Plumb](#); **Ex. 6 Personal Privacy (PP)**; Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'

Ex. 6 Personal Privacy (PP); Peterson, Steven D. <petersons@ballardspahr.com>

Subject: Richardson Flats - Pace Ranch

Dear Amelia,

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Thanks.

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd
Kennett Square Pa 19348
Robert.mckinstry@gmail.com
610-444-4449
484-467-3207

Message

From: bobby@robertbmckinstryjr.com [bobby@robertbmckinstryjr.com]
Sent: 10/26/2018 9:27:40 PM
To: Laurie Goldner [LGoldner@barr.com]
CC: Parker, Robert [Parker.Robert@epa.gov]; Peterson, Steven D. [petersons@ballardspahr.com]; Walter Plumb
Subject: Re: Richardson Flats - Pace Ranch

Ex. 6 Personal Privacy (PP)

 Piggott, Amelia [Piggott.Amelia@epa.gov]

Hi Laurie,

I understand that Walter is putting together answers to the questions. However, it would be useful for you to share the development plan with Amelia and Rob now, because that plan reflects the easement that is the subject of 3 of Amelia's 5 questions. I think it will be helpful to her in other respects as well, since it shows how little development activity is planned.

Sent from my iPhone
Robert B McKinstry, Jr.
Robert.mckinstry@gmail.com
Bobby@robertbmckinstryjr.com
(m) 484-467-3207
610-444-4449

On Oct 26, 2018, at 5:05 PM, Laurie Goldner <LGoldner@barr.com> wrote:

Thanks, Rob, that's understandable. In the meantime I've obtained the most current development plan that I will share with you when we're ready to proceed.

Laurie

Laurie Goldner, PhD
Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com

<image001.png>

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From: Parker, Robert <Parker.Robert@epa.gov>
Sent: Friday, October 26, 2018 1:23 PM
To: Laurie Goldner <LGoldner@barr.com>
Cc: 'bobby@robertbmckinstryjr.com' <bobby@robertbmckinstryjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plumb <Walter.Plumb@epa.gov>
Subject: RE: Richardson Flats - Pace Ranch

Ex. 6 Personal Privacy (PP)

 Piggott, Amelia

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Superfund Remedial Project Manager
US EPA, Region 8, Denver
(303) 312-6664

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Sent: Friday, October 26, 2018 11:02 AM
To: Parker, Robert <Parker.Robert@epa.gov>
Cc: 'bobby@robertbmckinstryjr.com' <bobby@robertbmckinstryjr.com>; Peterson, Steven D. <petersons@ballardspahr.com>; Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: FW: Richardson Flats - Pace Ranch
Importance: High

Rob-

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Laurie

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Senior Environmental Consultant
Salt Lake City, UT office: 801.333.8427
LGoldner@barr.com
www.barr.com

<image001.png>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, October 2, 2018 4:03 PM
To: robert.mckinstry@gmail.com
Cc: Walter Plumb [Ex. 6 Personal Privacy (PP)]; Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson' [Ex. 6 Personal Privacy (PP)] <petersons@ballardspahr.com>
Subject: RE: Richardson Flats - Pace Ranch

Thanks, Bobby. I will get started drafting and keep you posted.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

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Sent: Tuesday, October 2, 2018 11:40 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb; Ex. 6 Personal Privacy (PP); Laurie Goldner <LGoldner@barr.com>; 'Steven Peterson'
Ex. 6 Personal Privacy (PP); Peterson, Steven D. <petersons@ballardspahr.com>
Subject: Richardson Riata - Pace Ranch

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Thanks.

Robert B. McKinstry, Jr.
Romeade Farm
548 School House Rd
Kennett Square Pa 19348
Robert.mckinstry@gmail.com
610-444-4449
484-467-3207

Message

From: Hernandez, Kathryn [Hernandez.Kathryn@epa.gov]
Sent: 8/29/2014 4:56:15 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: FW: Zoning map
Attachments: 6 -Zoning.pdf

This looks like the same thing I just sent you, but just in case....

-----Original Message-----

From: [REDACTED] Ex. 6 Personal Privacy (PP)
Sent: Friday, August 29, 2014 10:53 AM
To: Hernandez, Kathryn
Subject: Fw: Zoning map

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: "Molloy, Aileen" <Aileen.Molloy@tetrattech.com>
Date: Fri, 29 Aug 2014 16:50:49
To: [REDACTED] Ex. 6 Personal Privacy (PP)
Subject: RE: Zoning map

-----Original Message-----

From: [REDACTED] Ex. 6 Personal Privacy (PP)
Sent: Friday, August 29, 2014 12:32 PM
To: Molloy, Aileen
Subject: Zoning map

Can you send me a copy of the zoning map for OU2?
Sent from my Verizon Wireless BlackBerry

Message

From: Kerry Gee [kcgee@unitedpark.com]
Sent: 5/13/2014 10:08:10 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]; 'Kevin Murray' [KRMurray@hollandhart.com]
Subject: RE: Resort Center Associates Access Letter

Amelia:

I found a phone number on-line for Walt Plumb and called it. The lady answered and I think she said Plumb/Boyer. I asked for Walter Plumb and she asked me if I want Plumb III or Plumb IV. I stated I needed to talk with whoever watches over property in Summit County in the area of Promontory and Silver Creek Junction. She indicated that person would be Plumb IV. She gave me both email address for Walt Plumb III and Walt Plumb IV. She told me that both men were unavailable and Plumb IV was out of the country. The telephone number I called was [Ex. 6 Personal Privacy (PP)] here is also a mobile number [Ex. 6 Personal Privacy (PP)] that I have not called.

I will forward to you the email that I sent to both Plumbs.

I searched the County website again just now. The owner of record of parcel SS-27 is resort Center Associates at the same address as Walter J Plumb III. He is the registered agent for Resort Center Associates.

The County website search URL is below.

<https://property.summitcounty.org/treasurer/treasurerweb/search.jsp>

You may want to reach out to Jamie Bracken an attorney with Summit County. She may know more of the Plumbs than I.

Kerry

From: Piggott, Amelia [mailto:Piggott.Amelia@epa.gov]
Sent: Tuesday, May 13, 2014 3:10 PM
To: Kerry C. Gee (kcgee@unitedpark.com); Kevin Murray
Subject: Resort Center Associates Access Letter

Hi Kerry and Kevin,

We got that Resort Center Associates access letter back again, this time with a note saying "no such number." Are there any other ways we could find another address? Let me know.

Thanks!

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

Message

From: Wilder, Scott [Wilder.Scott@epa.gov]
Sent: 12/11/2015 6:28:56 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]; Madigan, Andrea [Madigan.Andrea@epa.gov]; Cerise, Kathryn [Cerise.Kathryn@epa.gov]
Subject: RE: Pace Farm-OU2

Ex. 5 Attorney Client (AC)

Scott Wilder
U.S. Environmental Protection Agency
CERCLA Technical Enforcement Program
1200 Sixth Avenue, Suite 900, MS-113
Seattle, WA 98101
206-553-6693

From: Piggott, Amelia
Sent: Friday, December 11, 2015 10:52 AM
To: Madigan, Andrea; Wilder, Scott; Cerise, Kathryn
Subject: RE: Pace Farm-OU2

Ex. 5 Attorney Client (AC)

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Peterson, Steven D. [mailto:petersons@ballardspahr.com]
Sent: Tuesday, December 08, 2015 11:22 AM

To: Piggott, Amelia
Cc: drplumb@comcast.net
Subject: RE: Pace Farm-OU2

Amelia,

Can you provide a status update? We want to submit our Plat to the County, but need confirmation the property will be removed from your process. We have a narrow window and a great market. We would appreciate your assistance. Best.

Steven D. Peterson
Ballard Spahr LLP
One Utah Center, Suite 800
201 South Main Street
Salt Lake City, UT 84111-2221
Direct 801.531.3023
Mobile 801.598.3630
Fax 801.321.9023
petersons@ballardspahr.com | www.ballardspahr.com

From: Piggott, Amelia [<mailto:Piggott.Amelia@epa.gov>]
Sent: Wednesday, December 02, 2015 2:37 PM
To: Peterson, Steven D. (SLC)
Cc: drplumb@comcast.net
Subject: RE: Pace Farm-OU2

Steve,

Thanks. The first pdf has some sort of error that will not allow it to open. Can you please re-send it?

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Peterson, Steven D. [<mailto:petersons@ballardspahr.com>]
Sent: Wednesday, December 02, 2015 1:56 PM
To: Piggott, Amelia
Cc: drplumb@comcast.net
Subject: RE: Pace Farm-OU2

Hi Amelia,

I am attaching the plat which was submitted to Summit County today for review and approval. Please let me know if you have any questions about the development plan as outlined in the plat. Based on all of the testing that has been done, we request removal of the Pace property from your jurisdiction. There have been multiple studies of this property over the past ten years and none show any type of contamination. Our client wants to develop while the market is still strong and we would appreciate your assistance in this process. Please feel free to contact me with any questions. Thanks for your help. Best.

Steven D. Peterson
Ballard Spahr LLP

One Utah Center, Suite 800
201 South Main Street
Salt Lake City, UT 84111-2221
Direct 801.531.3023
Mobile 801.598.3630
Fax 801.321.9023
petersons@ballardspahr.com | www.ballardspahr.com

From: Piggott, Amelia [<mailto:Piggott.Amelia@epa.gov>]
Sent: Monday, August 17, 2015 9:11 AM
To: Peterson, Steven D. (SLC)
Cc: drplumb@comcast.net; lgoldner@sage-env.com
Subject: Re: Pace Farm-OU2

Hi Steve,

It was nice to meet with you as well. As I said Tuesday evening, the mechanism to remove properties from the Site is through the EE/CA process (if the parcel is found to be clean in that context, it falls out of the Site). However, just because the EE/CA process is ongoing and a property is part of a Site, it is not precluded from development. Properties within Superfund Sites are often developed or sold. Please send us a map of the property you would like to develop, whatever development plans you have for the parcels, and any data you have on the parcels. If you have data that can be plotted on the map, as well as any QA/QC documents on data if you took samples yourself, it would be helpful to us. We are happy to work through your proposed development plans, and work with you, UPCM, and Summit County to determine how the plans can be accomplished with the ongoing investigation and cleanup of the Site.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, August 12, 2015 3:31 PM
To: Piggott, Amelia
Cc: Walter J. Plumb (drplumb@comcast.net); Laurie Goldner (lgoldner@sage-env.com)
Subject: Pace Farm-OU2

Hi Amelia,

It was a pleasure to speak with you, Kathryn Cerise and other members of your team last evening at the Open House and Public Meeting regarding the Silver Creek Remediation and Restoration. As I mentioned, our firm represents Resort Center Associates which owns the 150 acre Pace Farm. Our consultant is Laurie Goldner who was present on the site with Kathryn and representatives of UPCM when the soil samples were taken from the Pace Farm.

Inasmuch as the soil samples demonstrated no contamination with the exception of the Loading Dock, we would like to formalize a procedure to permit the Pace Farm to be removed from OU2. In order to consider removal of the Pace Farm from OU2, we understand that you will need to review the development plan for the Pace Farm which is contemplated to include four parcels in the nature of relatively large building lots which will be sold to third parties. We will send you our development plan including a preliminary map showing the lots and a description of proposed improvements. Please let us know of any additional requirements you may have for our submittal.

We look forward to working with you on this matter.

Regards,

Steve

Steven D. Peterson

Ballard Spahr LLP

One Utah Center, Suite 800

201 South Main Street

Salt Lake City, UT 84111-2221

Direct 801.531.3023

Mobile 801.598.3630

Fax 801.321.9023

petersons@ballardspahr.com | www.ballardspahr.com

Message

From: Cerise, Kathryn [Cerise.Kathryn@epa.gov]
Sent: 12/15/2015 6:30:55 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: RE: Pace Farm-OU2

Ex. 5 AC/DP

From: Piggott, Amelia
Sent: Friday, December 11, 2015 10:52 AM
To: Madigan, Andrea; Wilder, Scott; Cerise, Kathryn
Subject: RE: Pace Farm-OU2

Ex. 5 AC/DP

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Peterson, Steven D. [mailto:petersons@ballardspahr.com]
Sent: Tuesday, December 08, 2015 11:22 AM
To: Piggott, Amelia
Cc: drplumb@comcast.net
Subject: RE: Pace Farm-OU2

Amelia,

Can you provide a status update? We want to submit our Plat to the County, but need confirmation the property will be removed from your process. We have a narrow window and a great market. We would appreciate your assistance. Best.

Steven D. Peterson

Ballard Spahr LLP
One Utah Center, Suite 800
201 South Main Street
Salt Lake City, UT 84111-2221
Direct 801.531.3023
Mobile 801.598.3630
Fax 801.321.9023
petersons@ballardspahr.com | www.ballardspahr.com

From: Piggott, Amelia [<mailto:Piggott.Amelia@epa.gov>]

Sent: Wednesday, December 02, 2015 2:37 PM

To: Peterson, Steven D. (SLC)

Cc: drplumb@comcast.net

Subject: RE: Pace Farm-OU2

Steve,

Thanks. The first pdf has some sort of error that will not allow it to open. Can you please re-send it?

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Peterson, Steven D. [<mailto:petersons@ballardspahr.com>]

Sent: Wednesday, December 02, 2015 1:56 PM

To: Piggott, Amelia

Cc: drplumb@comcast.net

Subject: RE: Pace Farm-OU2

Hi Amelia,

I am attaching the plat which was submitted to Summit County today for review and approval. Please let me know if you have any questions about the development plan as outlined in the plat. Based on all of the testing that has been done, we request removal of the Pace property from your jurisdiction. There have been multiple studies of this property over the past ten years and none show any type of contamination. Our client wants to develop while the market is still strong and we would appreciate your assistance in this process. Please feel free to contact me with any questions. Thanks for your help. Best.

Steven D. Peterson

Ballard Spahr LLP
One Utah Center, Suite 800
201 South Main Street
Salt Lake City, UT 84111-2221
Direct 801.531.3023
Mobile 801.598.3630
Fax 801.321.9023
petersons@ballardspahr.com | www.ballardspahr.com

From: Piggott, Amelia [<mailto:Piggott.Amelia@epa.gov>]
Sent: Monday, August 17, 2015 9:11 AM
To: Peterson, Steven D. (SLC)
Cc: drplumb@comcast.net; lgoldner@sage-env.com
Subject: Re: Pace Farm-OU2

Hi Steve,

It was nice to meet with you as well. As I said Tuesday evening, the mechanism to remove properties from the Site is through the EE/CA process (if the parcel is found to be clean in that context, it falls out of the Site). However, just because the EE/CA process is ongoing and a property is part of a Site, it is not precluded from development. Properties within Superfund Sites are often developed or sold. Please send us a map of the property you would like to develop, whatever development plans you have for the parcels, and any data you have on the parcels. If you have data that can be plotted on the map, as well as any QA/QC documents on data if you took samples yourself, it would be helpful to us. We are happy to work through your proposed development plans, and work with you, UPCM, and Summit County to determine how the plans can be accomplished with the ongoing investigation and cleanup of the Site.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, August 12, 2015 3:31 PM
To: Piggott, Amelia
Cc: Walter J. Plumb (drplumb@comcast.net); Laurie Goldner (lgoldner@sage-env.com)
Subject: Pace Farm-OU2

Hi Amelia,

It was a pleasure to speak with you, Kathryn Cerise and other members of your team last evening at the Open House and Public Meeting regarding the Silver Creek Remediation and Restoration. As I mentioned, our firm represents Resort Center Associates which owns the 150 acre Pace Farm. Our consultant is Laurie Goldner who was present on the site with Kathryn and representatives of UPCM when the soil samples were taken from the Pace Farm.

Inasmuch as the soil samples demonstrated no contamination with the exception of the Loading Dock, we would like to formalize a procedure to permit the Pace Farm to be removed from OU2. In order to consider removal of the Pace Farm from OU2, we understand that you will need to review the development plan for the Pace Farm which is contemplated to include four parcels in the nature of relatively large building lots which will be sold to third parties. We will send you our development plan including a preliminary map showing the lots and a description of proposed improvements. Please let us know of any additional requirements you may have for our submittal.

We look forward to working with you on this matter.

Regards,

Steve

Steven D. Peterson

Ballard Spahr LLP

One Utah Center, Suite 800

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Salt Lake City, UT 84111-2221

Direct 801.531.3023

Mobile 801.598.3630

Fax 801.321.9023

petersons@ballardspahr.com | www.ballardspahr.com

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 2/5/2015 4:48:08 PM
To: Madigan, Andrea [Madigan.Andrea@epa.gov]
Subject: FW: License for UPCM Access to Resort Center Associates Property
Attachments: Plumb Access Agreement (new) (4) - UPCM version - Plumb License.docx

ACC/FOIA Exempt/Do Not Release

Ex. 5 Attorney Client (AC)

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: McKinstry, Robert (Phila) [mailto:McKinstry@ballardspahr.com]
Sent: Monday, November 03, 2014 1:32 PM
To: 'Kevin Murray'
Cc: Piggott, Amelia; Hernandez, Kathryn; Walter J. Plumb III (drwjplumb@gmail.com); Walter J. Plumb III (drplumb@comcast.net); Laurie Goldner; 'Philip Plumb'; Nicole Squires; Kerry C. Gee (kcgee@unitedpark.com)
Subject: RE: License for UPCM Access to Resort Center Associates Property

Dear Kevin,

Here is a blackline, showing the differences between the License I sent and your last version of the Agreement. Some of the differences lie in the fact that the license is unilateral.

Bobby

Robert B. McKinstry, Jr.
Ballard Spahr LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
215-864-8208

cell 484-467-3207
mckinstry@ballardspahr.com

From: Kevin Murray [<mailto:KRMurray@hollandhart.com>]

Sent: Monday, November 03, 2014 2:55 PM

To: McKinstry, Robert (Phila)

Cc: Amelia Piggott (Piggott.amelia@epa.gov); 'hernandez.kathryn@epa.gov'; Walter J. Plumb III (drwjplumb@gmail.com); Walter J. Plumb III (drplumb@comcast.net); Laurie Goldner; 'Philip Plumb'; Nicole Squires; Kerry C. Gee (kcgee@unitedpark.com)

Subject: RE: License for UPCM Access to Resort Center Associates Property

You will need to send me a red line so we can see what provisions you added and whether they are acceptable to United Park.

From: McKinstry, Robert (Phila) [<mailto:McKinstry@ballardspahr.com>]

Sent: Monday, November 03, 2014 12:52 PM

To: Kevin Murray

Cc: Amelia Piggott (Piggott.amelia@epa.gov); 'hernandez.kathryn@epa.gov'; Walter J. Plumb III (drwjplumb@gmail.com); Walter J. Plumb III (drplumb@comcast.net); Laurie Goldner; 'Philip Plumb'; Nicole Squires; Kerry C. Gee (kcgee@unitedpark.com)

Subject: License for UPCM Access to Resort Center Associates Property

Dear Kevin,

Enclosed is an executed License for Access to the Resort Center Associates Property in connection with the Richardson Flats property. Although it includes some provisions to which your client objected, we felt that they were reasonable and contained in virtually all access agreements with which I have had experience. Our client does not want to delay sampling and this license provides all of the access that is required for the property. There were also several provisions in the Agreement that were problematic. For example, it appeared to condition access by our client's consultant to our client's property. In addition, you indicated that our client would need to go to EPA to obtain analytical results for our client's property, when we were already directed by EPA to get the information from UPCM.

I do not believe that there is anything in this license that should be problematic for EPA, since the agency is entitled to entry under the license and there are no obligations or conditions imposed, other than provisions making it clear that anyone entering is doing so at her or his own risk, that they are not business invitees and that the landowner has no obligation to disclose known or unknown conditions on the Property. Livestock are present on the Property.

Robert B. McKinstry, Jr.
Ballard Spahr LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
215-864-8208
cell 484-467-3207
mckinstry@ballardspahr.com

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 5/22/2014 1:33:39 PM
To: Ex. 6 Personal Privacy (PP)
Subject: RE: Richardson Flat Tailings OU2

This would be for a week from today.

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Ex. 6 Personal Privacy (PP)
Sent: Thursday, May 22, 2014 7:33 AM
To: Piggott, Amelia
Subject: Re: Richardson Flat Tailings OU2

12 would work. I have a 1 pm and a 2 pm today.
Sent from my Verizon Wireless BlackBerry

From: "Piggott, Amelia" <Piggott.Amelia@epa.gov>
Date: Thu, 22 May 2014 13:29:40 +0000
To: Ex. 6 Personal Privacy (PP)
Subject: RE: Richardson Flat Tailings OU2

Is it okay if I suggest 12-1 MST or 3-4 MST?

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, May 20, 2014 5:17 PM
To: Piggott, Amelia
Subject: Re: Richardson Flat Tailings OU2

Ok
Sent from my Verizon Wireless BlackBerry

From: "Piggott, Amelia" <Piggott.Amelia@epa.gov>
Date: Tue, 20 May 2014 21:52:05 +0000
To: Ex. 6 Personal Privacy (PP)
Subject: RE: Richardson Flat Tailings OU2

How about we shoot for a week from this Thursday?

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: Ex. 6 Personal Privacy (PP)

Sent: Monday, May 19, 2014 8:50 PM

To: Piggott, Amelia

Subject: Fw: Richardson Flat Tailings OU2

I am on travel. I am in the office only this Thursday, then back to Park City on travel and in only next Thurs. I am in the week of 6/2.

Sent from my Verizon Wireless BlackBerry

From: "Hernandez, Kathryn" <Hernandez.Kathryn@epa.gov>

Date: Tue, 20 May 2014 02:47:17 +0000

To: Ex. 6 Personal Privacy (PP)

Subject: FW: Richardson Flat Tailings OU2

From: Piggott, Amelia

Sent: Monday, May 19, 2014 8:47:16 PM (UTC-07:00) Mountain Time (US & Canada)

To: Hernandez, Kathryn

Subject: FW: Richardson Flat Tailings OU2

When of these times are you available? I'd like it if we could shoot for the Tuesday or Wednesday so I can catch up with you before the phone call. Let me know whenever you get a chance.

Thanks!

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
303.312.6410

From: McKinstry, Robert (Phila) [<mailto:McKinstry@ballardspahr.com>]

Sent: Monday, May 19, 2014 1:55 PM

To: Piggott, Amelia

Cc: Laurie Goldner; Peterson, Steven D. (SLC); Hernandez, Kathryn

Subject: RE: Richardson Flat Tailings OU2

Dear Amelia,

I am writing to confirm my telephone message in which I indicated that I would like to arrange for a conference call with you, Kathryn Hernandez and our client's environmental consultant, Laurie Goldner, to discuss the possibility of

our client, Walter Plumb, undertaking and accelerating investigation and cleanup of a 160 acre property known as Silver Gate Ranches Property. That property was formerly part of the Pace Ranch. Because the entire ranch included land within the Silver Creek floodplain, the entire Pace Ranch property was included in the OU2 Site boundaries at the time those boundaries were established. The Pace Ranch was subdivided and our client purchased only property outside of the floodplain and all property within the floodplain is now owned by Park City. Our client wishes to develop the Silver Gate property more quickly than what we expect would be the timeframe for completing remediation of the entire OU2.

From your message, I understand that you are out on travel, but will be back in the office on Thursday and Friday. As of today, Laurie Goldner and I are both free for a conference call, Thursday May 21 before 1:30 MDT, all day Tuesday May 27 (I am in Philadelphia, so I am excluding appointments before 10 am EDT and after 6:30 pm EDT), Wednesday May 28 other than 1:30-2:30 MDT, all day Thursday May 29 and all day Friday May 30. Please let me know what times would be good for you and Kathryn. Our consultant has conducted some soil sampling that we will be able to share with you.

Please give me a call as well.

Thank you for your assistance. I look forward to hearing from you.

Bobby McKinstry

Robert B. McKinstry, Jr.
Ballard Spahr LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
215-864-8208
cell 484-467-3207
mckinstry@ballardspahr.com

From: Hernandez, Kathryn [<mailto:Hernandez.Kathryn@epa.gov>]
Sent: Friday, May 16, 2014 12:41 PM
To: McKinstry, Robert (Phila)
Cc: Laurie Goldner; Peterson, Steven D. (SLC)
Subject: RE: Richardson Flat Tailings OU2

Dear Mr. McKinstry,

The Richardson Flat Site Attorney is Amelia Piggott. Her phone # is 303-312-6410. Her email address is Piggott.amelia@epa.gov.

Sincerely,

Kathryn Hernandez
Richardson Flat RPM

From: McKinstry, Robert (Phila) [<mailto:McKinstry@ballardspahr.com>]
Sent: Thursday, May 15, 2014 3:21 PM
To: Hernandez, Kathryn
Cc: Laurie Goldner; Peterson, Steven D. (SLC)
Subject: Richardson Flat Tailings OU2

Dear Ms. Hernandez,

Robert B. McKinstry, Jr.
Ballard Spahr LLP

1735 Market Street, 51st Floor
Philadelphia, PA 19103
215-864-8208
cell 484-467-3207
mckinstry@ballardspahr.com

Message

From: Peterson, Steven D. [petersons@ballardspahr.com]
Sent: 9/19/2019 7:09:59 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
CC: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: Re: Answers to Five Questions
Attachments: ATT00001.txt; image004.jpg; image005.jpg; image006.jpg; image007.jpg; ATT00002.txt; ATT00003.txt

Yes. Any day, but Monday. Please suggest a day and a few times. Thank you.

Sent from my iPhone

On Sep 19, 2019, at 12:36 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>> wrote:

△ EXTERNAL
Hi Steven,

Do you have time next week for a call? I'm going to start drafting and want to touch base before doing so.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Tuesday, September 17, 2019 3:49 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Cc: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: RE: Answers to Five Questions

Hi Amelia,

Any update for us?

Steven D. Peterson

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<image004.jpg>

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Salt Lake City, UT 84111-2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>>
801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image005.jpg>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, August 20, 2019 9:14 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Subject: RE: Answers to Five Questions

△ EXTERNAL
Hi Steven,

DOI is working on putting together a number. We're having a call with the State later this week to talk about these agreements. Once we get DOI's number and do our call with the State, I'm hopeful I can start drafting something.

Thanks,
ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Monday, August 19, 2019 4:04 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Subject: RE: Answers to Five Questions

Monthly update?

Steven D. Peterson

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<image006.jpg>

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801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

www.ballardspahr.com<http://www.ballardspahr.com/>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Monday, July 15, 2019 3:46 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Cc: Walter Plumb
lgoldner@barr.com<mailto:lgoldner@barr.com>
Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

⚠ EXTERNAL

All of my timing guesses have been, as you are aware, unrealistically optimistic. I hope to get the next agreement off my desk within the next month or two, which would then allow me to focus on this one, but because a lot of it depends on other peoples' timeframes, it's difficult for me to say with certainty. I have been and will remain vocal about keeping these settlements a priority.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D.
Sent: Monday, July 15, 2019 3:38 PM
To: Piggott, Amelia
Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
Subject: RE: Answers to Five Questions

Best guess as to timing? Thanks very much Amelia.

Steven D. Peterson

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<image006.jpg>

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801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

www.ballardspahr.com<<http://www.ballardspahr.com/>>

From: Piggott, Amelia
Sent: Monday, July 15, 2019 3:36 PM
To: Peterson, Steven D. (SLC)
Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

We just got the final signature for the Summit County/Gillmor settlement, a copy of which is available here:

<https://yosemite.epa.gov/oa/rhc/epaadmin.nsf/7b598669425eac47852575400050b7e2/4bcfc9fab903f13685258434007981c7!OpenDocument>

Now we are waiting on comments from others (DOJ and DOI) regarding the form settlement without the County as a BFPP. We are trying to get that document finalized, and then we can start discussing how best to settle with your client.

Thanks,

ap

ED_006076_00000961-00003

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Monday, July 15, 2019 3:16 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Cc: Walter Plumb <[REDACTED]> **Ex. 6 Personal Privacy (PP)**
lgoldner@barr.com<mailto:lgoldner@barr.com>
Subject: RE: Answers to Five Questions

What is happening?

Steven D. Peterson

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<image006.jpg>

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2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,salt%20Lake%20City,UT,84111-2221>>
801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

www.ballardspahr.com<<http://www.ballardspahr.com/>>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, June 11, 2019 2:08 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL
Steven,

The issue is that we can only use data collected under EPA oversight in order to make Superfund decisions with respect to site boundaries. Currently, there are two ways the Site boundary could change. First, we have parties sample under an EPA order with EPA oversight, using an EPA-approved Quality Assurance Project Plan (this is the model order we are trying to finalize internally). Alternatively, parties can wait while EPA works through the engineering evaluation/cost analysis process. That process will determine the nature and extent of contamination at the Site, and boundaries may change upon completion of the EE/CA.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D.
Sent: Monday, June 10, 2019 4:21 PM
To: Piggott, Amelia

Subject: RE: Answers to Five Questions

Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.

Steven D. Peterson

[Image removed by sender. <http://images.ballardspahr.com/EmailTemplate/Ballard-11p-x2.gif>]<<http://www.ballardspahr.com/>>

<image006.jpg>

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Salt Lake City, UT 84111-2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,salt%20Lake%20City,UT,84111-2221>>
801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

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From: Piggott, Amelia
Sent: Monday, June 10, 2019 2:29 PM
To: Peterson, Steven D. (SLC)
Subject: RE: Answers to Five Questions

⚠ EXTERNAL
Steven,

I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.

Thanks,

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>
Sent: Monday, June 10, 2019 11:51 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: RE: Answers to Five Questions

Amelia,

Amelia,

This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.

Steven D. Peterson

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2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>

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801.531.3001<tel:801.531.3001> fax

<http://maps.apple.com/?address=,,,,>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>

vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>

<image007.jpg>

www.ballardspahr.com<http://www.ballardspahr.com/>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>

Sent: Monday, May 20, 2019 3:49 PM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>

Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;

lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)

<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>

Subject: RE: Answers to Five Questions

△ EXTERNAL

Hi Steven,

I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get their comments back this week. I'll be out of town until June 7, but can follow up after that.

Thanks,

ap

Amelia Piggott

Senior Assistant Regional Counsel

CERCLA Enforcement Section

Office of Regional Counsel

U.S. EPA Region 8

(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>

Sent: Monday, May 20, 2019 1:59 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>

Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;

lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>

Subject: RE: Answers to Five Questions

Amelia,

Please update. Thank you.

Steven D. Peterson

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<image006.jpg>

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801.531.3001<tel:801.531.3001> fax

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petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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www.ballardspahr.com<<http://www.ballardspahr.com/>>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Wednesday, April 17, 2019 8:10 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III
McKinstry, Robert (Retired)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

△ EXTERNAL
Steven,

We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Tuesday, April 16, 2019 5:54 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
Subject: RE: Answers to Five Questions

Amelia, Please give us an update. Thank you.

Steven D. Peterson

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petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

www.ballardspahr.com<http://www.ballardspahr.com/>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Monday, March 18, 2019 9:30 AM
To: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>; Walter Plumb III <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)

EXTERNAL
Hi Bobby,

That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
Sent: Wednesday, March 13, 2019 4:31 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Cc: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>; Walter Plumb III <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
Subject: Re: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

Amelia

Are you in a position to share the memo and do you know whether it can be used with the County to promote a more sensible solution. If not, could there be some mechanism where the state could provide sign-offs (consistent with federalism principles)?

Sent from my iPhone
Robert B McKinstry, Jr.
Robert.mckinstry@gmail.com<mailto:Robert.mckinstry@gmail.com>
Bobby@robertbmckinstryjr.com<mailto:Bobby@robertbmckinstryjr.com>
(m) 484-467-3207
610-444-4449

On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>> wrote:
Steven,

I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer of the property at any time you choose. Having said that, I recognize you are trying to work through the County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will help parties navigate that process. However, we cannot make promises with respect to timeframe at this point.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Wednesday, March 13, 2019 4:00 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>

Cc: Walter Plumb III
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

Amelia,

This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have already been waiting a number of years. Would there be some way to give us some priority if these 2 settlements are not completed within the next month? We are very concerned about missing an excellent sales market. Thanks.

Steven D. Peterson

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<<http://www.ballardspahr.com/>>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Wednesday, March 13, 2019 3:07 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)

EXTERNAL
Steven,

We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Wednesday, March 13, 2019 2:19 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

Hi Amelia,

Please update us. We are very anxious to conclude this matter. Thanks very much.

Steven D. Peterson

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petersons@ballardspahr.com <<mailto:petersons@ballardspahr.com>>
vcard <<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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www.ballardspahr.com <<http://www.ballardspahr.com/>>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>
Sent: Tuesday, February 12, 2019 12:43 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>; Sonia Perez <sonia@gardnercompany.net<<mailto:sonia@gardnercompany.net>>>;
lgoldner@barr.com <<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III <lgoldner@barr.com> **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<<mailto:bobby@robertbmckinstryjr.com>>>;
robert.mckinstry@gmail.com <<mailto:robert.mckinstry@gmail.com>>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Hi Steven,

I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>
Sent: Tuesday, February 12, 2019 10:35 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>; Sonia Perez <sonia@gardnercompany.net<<mailto:sonia@gardnercompany.net>>>;
lgoldner@barr.com <<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III <lgoldner@barr.com> **Ex. 6 Personal Privacy (PP)**
bobby@robertbmckinstryjr.com <<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com <<mailto:robert.mckinstry@gmail.com>>
Subject: RE: Answers to Five Questions

Hi Amelia,

Any update on timing?

Steven D. Peterson

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801.531.3023<tel:801.531.3023> direct
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petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>

<image007.jpg>

www.ballardspahr.com<http://www.ballardspahr.com/>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, January 29, 2019 8:43 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III <[REDACTED]> McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

EXTERNAL
Steven,

I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Wednesday, January 2, 2019 1:40 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III <[REDACTED]> McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Hi Amelia,

Can you give us an update?

Steven D. Peterson

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vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Monday, December 17, 2018 10:58 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III [REDACTED] **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

△ EXTERNAL
Hi Steven,

I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Monday, December 17, 2018 10:54 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III [REDACTED] **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Hi Amelia,

Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents resolved your questions, but if you need more information we can talk or schedule a call for the larger group.

Steven D. Peterson

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801.531.3023<tel:801.531.3023> direct
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<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

www.ballardspahr.com<<http://www.ballardspahr.com/>>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, December 11, 2018 4:28 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III [REDACTED] McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

△ EXTERNAL
Hi Steven,

Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Tuesday, December 11, 2018 10:09 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III [REDACTED] McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Hi Amelia,

Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

Steven D. Peterson

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801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Thursday, November 29, 2018 4:27 PM
To: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III [REDACTED] **Ex. 6 Personal Privacy (PP)** Peterson, Steven D. (SLC)
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Thanks. We will review the answers and get back to you about next steps.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>
Sent: Thursday, November 29, 2018 4:24 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III [REDACTED] **Ex. 6 Personal Privacy (PP)**; Steven D. Peterson
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>;
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: Answers to Five Questions

Amelia,

I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.

Sonia Perez
GARDNER COMPANY/ Administrative Assistant
201 South Main St. Ste. 2000
Salt Lake City, Utah 84111
Phone: 801.456.4140<tel:801.456.4140>
Fax: 801.366.7194<tel:801.366.7194>
sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>

Message

From: Peterson, Steven D. [petersons@ballardspahr.com]
Sent: 9/26/2019 3:58:31 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: RE: Answers to Five Questions

801-531-3023

Steven D. Peterson

Ballard Spahr LLP

One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX
petersons@ballardspahr.com

www.ballardspahr.com

-----Original Message-----

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Thursday, September 26, 2019 9:56 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Steven,

Can you please send me your direct line for our call?

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

-----Original Message-----

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Saturday, September 21, 2019 8:55 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb
Subject: Re: Answers to Five Questions
Ex. 6 Personal Privacy (PP)

Can't recall whether I replied. That will work. Walt will join me on the call. You can call my direct line and we will be in my office.

Sent from my iPhone

> On Sep 19, 2019, at 1:18 PM, Piggott, Amelia <Piggott.Amelia@epa.gov> wrote:
>

> ⚠ EXTERNAL

>
> How about next Thursday at 10:00 am?

>
> Thanks,


>
> ap

>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8

> (303) 312-6410
>
>
> -----Original Message-----
> From: Peterson, Steven D. <petersons@ballardspahr.com>
> Sent: Thursday, September 19, 2019 1:10 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov>
> Cc: Walter Plumb <Walter.Plumb@ballardspahr.com>
> Subject: Re: Answers to Five Questions
>
> Yes. Any day, but Monday. Please suggest a day and a few times. Thank you.
>
> Sent from my iPhone
>
> On Sep 19, 2019, at 12:36 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
wrote:
>
> ⚠ EXTERNAL
> Hi Steven,
>
> Do you have time next week for a call? I'm going to start drafting and want to touch base before doing
so.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, September 17, 2019 3:49 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Cc: Walter Plumb <Walter.Plumb@ballardspahr.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Any update for us?
>
> Steven D. Peterson
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0Lake%20City,UT,84111-2221>
> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, August 20, 2019 9:14 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Hi Steven,
>
> DOI is working on putting together a number. We're having a call with the State later this week to talk about these agreements. Once we get DOI's number and do our call with the State, I'm hopeful I can start drafting something.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, August 19, 2019 4:04 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Subject: RE: Answers to Five Questions
>
> Monthly update?
>
> Steven D. Peterson
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, July 15, 2019 3:46 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Cc: Walter Plumb <wplumb@barr.com> <wplumb@barr.com>
> lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> All of my timing guesses have been, as you are aware, unrealistically optimistic. I hope to get the next agreement off my desk within the next month or two, which would then allow me to focus on this one, but because a lot of it depends on other peoples' timeframes, it's difficult for me to say with certainty. I have been and will remain vocal about keeping these settlements a priority.

Ex. 6 Personal Privacy (PP)

>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
>
> From: Peterson, Steven D.
> Sent: Monday, July 15, 2019 3:38 PM
> To: Piggott, Amelia
> Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> Best guess as to timing? Thanks very much Amelia.
>
> Steven D. Peterson
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> 801.531.3001<tel:801.531.3001> fax
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> vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>
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>
> From: Piggott, Amelia
> Sent: Monday, July 15, 2019 3:36 PM
> To: Peterson, Steven D. (SLC)
> Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
>  EXTERNAL
> We just got the final signature for the Summit County/Gillmor settlement, a copy of which is available here:
>
>
> <https://yosemite.epa.gov/oa/rhc/epaadmin.nsf/7b598669425eac47852575400050b7e2/4bcfc9fab903f13685258434007981c7!OpenDocument>
>
> Now we are waiting on comments from others (DOJ and DOI) regarding the form settlement without the County as a BFPP. We are trying to get that document finalized, and then we can start discussing how best to settle with your client.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>

>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, July 15, 2019 3:16 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)**
lgoldner@barr.com<mailto:rgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> What is happening?
>
> Steven D. Peterson
>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, June 11, 2019 2:08 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> The issue is that we can only use data collected under EPA oversight in order to make superfund decisions with respect to site boundaries. Currently, there are two ways the Site boundary could change. First, we have parties sample under an EPA order with EPA oversight, using an EPA-approved Quality Assurance Project Plan (this is the model order we are trying to finalize internally). Alternatively, parties can wait while EPA works through the engineering evaluation/cost analysis process. That process will determine the nature and extent of contamination at the Site, and boundaries may change upon completion of the EE/CA.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D.
> Sent: Monday, June 10, 2019 4:21 PM
> To: Piggott, Amelia
> Subject: RE: Answers to Five Questions
>
> Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.
>
> Steven D. Peterson
>

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> 801.531.3001<tel:801.531.3001> fax

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> www.ballardspahr.com<<http://www.ballardspahr.com/>>

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>

> From: Piggott, Amelia

> Sent: Monday, June 10, 2019 2:29 PM

> To: Peterson, Steven D. (SLC)

> Subject: RE: Answers to Five Questions

>

> ⚠ EXTERNAL

> Steven,

>

> I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.

>

> Thanks,

>

> Amelia Piggott

> Senior Assistant Regional Counsel

> CERCLA Enforcement Section

> Office of Regional Counsel

> U.S. EPA Region 8

> (303) 312-6410

>

>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>

> Sent: Monday, June 10, 2019 11:51 AM

> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>

> Subject: RE: Answers to Five Questions

>

> Amelia,

>

> Amelia,

>

> This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.

>

> Steven D. Peterson

>

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> 801.531.3023<tel:801.531.3023> direct

> 801.531.3001<tel:801.531.3001> fax

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> <<http://maps.apple.com/?address=,,,>>

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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, May 20, 2019 3:49 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Robert
McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@harr.com<mailto:lgoldner@harr.com>; Walter Plumb III
Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Hi Steven,
>
> I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get
their comments back this week. I'll be out of town until June 7, but can follow up after that.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, May 20, 2019 1:59 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry
<robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@harr.com<mailto:lgoldner@harr.com>; Walter Plumb III
Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
> Subject: RE: Answers to Five Questions
>
> Amelia,
>
> Please update. Thank you.
>
> Steven D. Peterson
>
> [Image removed by sender. http://images.ballardspahr.com/EmailTemplate/Ballard-11p-
x2.gif]<http://www.ballardspahr.com/>
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> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Wednesday, April 17, 2019 8:10 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III
Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, April 16, 2019 5:54 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III
Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
> Subject: RE: Answers to Five Questions
>
> Amelia, Please give us an update. Thank you.
>
> Steven D. Peterson
>
> [Image removed by sender. http://images.ballardspahr.com/EmailTemplate/Ballard-llp-x2.gif]<http://www.ballardspahr.com/>
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> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
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> <http://maps.apple.com/?address=,,,>
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>
> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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>
>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, March 18, 2019 9:30 AM
> To: Robert McKinstry
Ex. 6 Personal Privacy (PP)
> Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)

<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
> Subject: RE: Answers to Five Questions
>
>  EXTERNAL
> Hi Bobby,
>
> That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Sent: Wednesday, March 13, 2019 4:31 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Cc: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>;
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>;
Walter Plumb III
> bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
> Subject: Re: Answers to Five Questions
>
> Amelia
>
> Are you in a position to share the memo and do you know whether it can be used with the County to
promote a more sensible solution. If not, could there be some mechanism where the state could provide
sign-offs(consistent with federalism principles)?
> Sent from my iPhone
> Robert B McKinstry, Jr.
> Robert.mckinstry@gmail.com<mailto:Robert.mckinstry@gmail.com>
> Bobby@robertbmckinstryjr.com<mailto:Bobby@robertbmckinstryjr.com>
> (m) 484-467-3207
> 610-444-4449
>
> On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
wrote:
> Steven,
>
> I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get
these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer
of the property at any time you choose. Having said that, I recognize you are trying to work through the
County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will
help parties navigate that process. However, we cannot make promises with respect to timeframe at this
point.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Wednesday, March 13, 2019 4:00 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
> Cc: Walter Plumb III
> bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Amelia,
>
> This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have
already been waiting a number of years. Would there be some way to give us some priority if these 2
settlements are not completed within the next month? We are very concerned about missing an excellent
sales market. Thanks.
>
> Steven D. Peterson
>

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> 801.531.3023<tel:801.531.3023> direct

> 801.531.3001<tel:801.531.3001> fax

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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>

> vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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> www.ballardspahr.com<<http://www.ballardspahr.com/>>

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>

> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>

> Sent: Wednesday, March 13, 2019 3:07 PM

> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>

> ⚠ EXTERNAL

> Steven,

>

> We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

>

> Thanks,

>

> ap

>

> Amelia Piggott

> Attorney

> U.S. EPA Region 8

> 303.312.6410

>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>

> Sent: Wednesday, March 13, 2019 2:19 PM

> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>

> Hi Amelia,

>

> Please update us. We are very anxious to conclude this matter. Thanks very much.

>

> Steven D. Peterson

>

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> 801.531.3023<tel:801.531.3023> direct

> 801.531.3001<tel:801.531.3001> fax
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> <http://maps.apple.com/?address=,,,,>
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> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, February 12, 2019 12:43 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Hi Steven,
>
> I'm still at least a month out from being able to provide a response. As we've discussed, there are two
other parties who requested settlements. We're trying to wrap one up, get the other started, and then I
can turn to understanding the facts associated with the purchase and sale, and figure out the best
settlement mechanism for this situation. I appreciate your patience as we work through these issues.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, February 12, 2019 10:35 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Any update on timing?
>
> Steven D. Peterson
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x2.gif]<http://www.ballardspahr.com/>
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2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%2
OLake%20City,UT,84111-2221>
> 801.531.3023<tel:801.531.3023> direct
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> <http://maps.apple.com/?address=,,,,>
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, January 29, 2019 8:43 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III <wplumb@ballardspahr.com> **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Wednesday, January 2, 2019 1:40 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III <wplumb@ballardspahr.com> **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Can you give us an update?
>
> Steven D. Peterson
>
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcards.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, December 17, 2018 10:58 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
 <bobby@robertbmckinstryjr.com><mailto:bobby@robertbmckinstryjr.com>;
 robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
 > Subject: RE: Answers to Five Questions
 >
 > ⚠ EXTERNAL
 > Hi Steven,
 >
 > I still need to dig into the documents. I hope to do so this and next week, and will let you know if I
 have any additional questions.
 >
 > Thanks,
 >
 > ap
 >
 > Amelia Piggott
 > Attorney
 > U.S. EPA Region 8
 > 303.312.6410
 >
 > From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
 > Sent: Monday, December 17, 2018 10:54 AM
 > To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
 <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
 > Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)**
 bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
 robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
 > Subject: RE: Answers to Five Questions
 >
 > Hi Amelia,
 >
 > Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents
 resolved your questions, but if you need more information we can talk or schedule a call for the larger
 group.
 >
 > Steven D. Peterson
 >
 > [Image removed by sender. <http://images.ballardspahr.com/EmailTemplate/Ballard-11p-x2.gif>]<<http://www.ballardspahr.com/>>
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 2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,salt%20Lake%20City,UT,84111-2221>>
 > 801.531.3023<tel:801.531.3023> direct
 > 801.531.3001<tel:801.531.3001> fax
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 > <<http://maps.apple.com/?address=,,,>>>
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 >
 > petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
 > vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>
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 > www.ballardspahr.com<<http://www.ballardspahr.com/>>
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 >
 > From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
 > Sent: Tuesday, December 11, 2018 4:28 PM
 > To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
 Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
 lgoldner@barr.com<mailto:lgoldner@barr.com>
 > Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
 <bobby@robertbmckinstryjr.com><mailto:bobby@robertbmckinstryjr.com>;
 robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
 > Subject: RE: Answers to Five Questions
 >
 > ⚠ EXTERNAL
 > Hi Steven,
 >

> Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, December 11, 2018 10:09 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
> <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP)
> bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
> robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>

> Hi Amelia,

> Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

>
> Steven D. Peterson
>

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> 2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>>
> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
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> <<http://maps.apple.com/?address=,,,>>
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>
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>

> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Thursday, November 29, 2018 4:27 PM
> To: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
> lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP) Peterson, Steven D. (SLC)
> <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; McKinstry, Robert (Retired)
> <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
> robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>

> ⚠ EXTERNAL

> Thanks. We will review the answers and get back to you about next steps.

>
> Thanks,
>

> ap
>
> Amelia Piggott
> Attorney

> U.S. EPA Region 8
> 303.312.6410
>
> From: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>
> Sent: Thursday, November 29, 2018 4:24 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>;
> lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Steven D. Peterson
> <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>;
> bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
> robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: Answers to Five Questions
>
> Amelia,
>
> I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to
Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.
>
>
> Sonia Perez
> GARDNER COMPANY/ Administrative Assistant
> 201 South Main St. Ste. 2000
> Salt Lake City, Utah 84111
> Phone: 801.456.4140<tel:801.456.4140>
> Fax: 801.366.7194<tel:801.366.7194>
> sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>
>
>
>

Message

From: Madigan, Andrea [Madigan.Andrea@epa.gov]
Sent: 7/30/2020 6:09:06 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: RE: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

That works. Thanks!

Andrea Madigan
CERCLA Enforcement Section Chief
Office of Regional Counsel
US EPA Region 8
1595 Wynkoop Street
Denver, Colorado 80202
(303) 312-6904
madigan.andrea@epa.gov

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Thursday, July 30, 2020 12:07 PM
To: Madigan, Andrea <Madigan.Andrea@epa.gov>
Subject: RE: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

Ex. 5 AC/DP

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Madigan, Andrea <Madigan.Andrea@epa.gov>
Sent: Thursday, July 30, 2020 12:00 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: RE: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

Ex. 5 AC/DP

Andrea Madigan
CERCLA Enforcement Section Chief
Office of Regional Counsel
US EPA Region 8

1595 Wynkoop Street
Denver, Colorado 80202
(303) 312-6904
madigan.andrea@epa.gov

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Friday, July 24, 2020 11:41 AM
To: Madigan, Andrea <Madigan.Andrea@epa.gov>
Subject: FW: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

Ex. 5 AC/DP

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Thursday, July 23, 2020 3:17 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Jacobsen, Dana E <Dana.Jacobsen@sol.doi.gov>
Cc: Walter Plumb <drwjplumb@gmail.com>; Robert McKinstry <robert.mckinstry@gmail.com>
Subject: FW: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

Amelia and Dana,

I am forwarding to you by way of this email, a Soil Sampling Report and summary email provided by our consultant, Laurie Goldner, with respect to Arsenic and Lead levels on the Pace property (known as Silver Gate Ranches). As you can see, only 5 of the 16 lots have Arsenic or Lead which exceeds the EPA Site Specific Screening Levels. On 4 of the 5 lots in question, the excess level of Arsenic or Lead is so tiny as to be non-material. Lot 6 is the only lot which materially exceeds the screening levels. We could very easily take 1 foot of soil off the top of lot 6 as it would only be 1613 cubic yards of soil. We that accomplished, the subdivision would be clean.

Given this study, we find it hard to understand why the Pace property was even included in the Super-fund site. EPA has done its own phase 2 study and Walter has done 2 such studies which show virtually no contamination. The Pace property covers 150 acres, 110 acres of which is open space, and ½ of which has never been irrigated. Walter has been prohibited from moving forward for more than a decade because of a de minimis level of offending material on the property.

After all this time we should have already finalized a settlement agreement. I have sent monthly emails for over a year seeking resolution and each month I receive a courteous response indicating that you will get right back to us. Please respond in a substantive way to this email. We are in a prime selling market and feel an urgency to get this resolved.

Thank you for your consideration and assistance.

Steven D. Peterson



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From: Walter Plumb <drwjplumb@gmail.com>
Sent: Tuesday, July 21, 2020 2:14 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>
Subject: Fwd: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf

EXTERNAL

----- Forwarded message -----

From: **Laurie Goldner** <LGoldner@barr.com>
Date: Thu, Jul 16, 2020 at 3:41 PM
Subject: FINAL Silver Gate Ranches Soil Sampling Report 9-26-17.pdf
To: Walter Plumb <drwjplumb@gmail.com>

Walter-

Look at figure 3 in the attached report for the shallow sampling results (upper 1 foot) for each lot. Lot numbers are in the middle of the sample ID – e.g, L5E = Lot 5 East. Only 5 lots exceed the EPA’s site specific screening levels for either or both lead and arsenic. I used the exact screening levels from the EPA report. None of the deeper samples (from 4 feet or 9 feet depth) exceeded the screening levels.

Sample ID	EPA Site-Specific Screening Levels	
	Arsenic >19 ppm	Lead >262 ppm
SGR-L5E-0-2"		271
SGR-L9W-0-2"		301
SGR-L6W-0-2"	30.0	626

SGR-L6W-6-12"	29.6	531
SGR-L13E-0-2"	19.3/19.4	
SGR-L13E-6-12"	24.5/32.0	
SGR-L17W-0-2"	21.5	293

19.3/19.4 = duplicate sample collected

Let me know if you'd like me to run the specific EPA statistics to obtain an average concentration.

Thanks,

Laurie

Message

From: Peterson, Steven D. [petersons@ballardspahr.com]
Sent: 6/10/2019 10:21:06 PM
To: Piggott, Amelia [Piggott.Amelia@epa.gov]
Subject: RE: Answers to Five Questions
Attachments: ATT00001.txt

Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.

Steven D. Peterson

Ballard Spahr
LLP

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.....
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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, June 10, 2019 2:29 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.

Thanks,

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

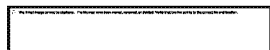
From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, June 10, 2019 11:51 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: RE: Answers to Five Questions

Amelia,

Amelia,

This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Monday, May 20, 2019 3:49 PM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <lgoldner@barr.com>; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>

Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get their comments back this week. I'll be out of town until June 7, but can follow up after that.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Monday, May 20, 2019 1:59 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <lgoldner@barr.com>

Ex. 6 Personal Privacy (PP)

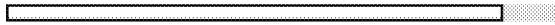
bobby@robertbmckinstryjr.com

Subject: RE: Answers to Five Questions

Amelia,

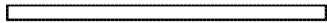
Please update. Thank you.

Steven D. Peterson



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petersons@ballardspahr.com
VCARD



www.ballardspahr.com

From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Wednesday, April 17, 2019 8:10 AM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III
McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>

Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Tuesday, April 16, 2019 5:54 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Robert McKinstry <robert.mckinstry@gmail.com>

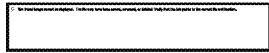
Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III
bobby@robertbmckinstryjr.com

Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

Amelia, Please give us an update. Thank you.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, March 18, 2019 9:30 AM
To: Robert McKinstry <robert.mckinstry@gmail.com>
Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com> **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Bobby,

That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Robert McKinstry <robert.mckinstry@gmail.com>
Sent: Wednesday, March 13, 2019 4:31 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Peterson, Steven D. <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com> **Ex. 6 Personal Privacy (PP)**
Subject: Re: Answers to Five Questions

Amelia

Are you in a position to share the memo and do you know whether it can be used with the County to promote a more sensible solution. If not, could there be some mechanism where the state could provide sign-offs(consistent with federalism principles)?

Sent from my iPhone
Robert B McKinstry, Jr.
Robert.mckinstry@gmail.com
Bobby@robertbmckinstryjr.com
(m) 484-467-3207
610-444-4449

On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov> wrote:

Steven,

I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer of the property at any time you choose. Having said that, I recognize you are trying to work through the County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will help parties navigate that process. However, we cannot make promises with respect to timeframe at this point.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 4:00 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Amelia,

This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have already been waiting a number of years. Would there be some way to give us some priority if these 2 settlements are not completed within the next month? We are very concerned about missing an excellent sales market. Thanks.

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
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petersons@ballardspahr.com
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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Wednesday, March 13, 2019 3:07 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 2:19 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Please update us. We are very anxious to conclude this matter. Thanks very much.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, February 12, 2019 12:43 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinsty, Robert (Retired) <bobby@robertbmckinstyjr.com>; robert.mckinsty@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

Thanks,

ap


Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, February 12, 2019 10:35 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** ; bobby@robertbmckinstyjr.com; robert.mckinsty@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Any update on timing?

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
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801.531.3001 FAX

ED_006076_00001129-00007

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, January 29, 2019 8:43 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

Thanks,

ap

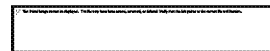
Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

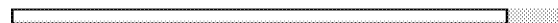
From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, January 2, 2019 1:40 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Can you give us an update?

Steven D. Peterson





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801.531.3001 FAX

petersons@ballardspahr.com
VCARD

ED_006076_00001129-00008

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, December 17, 2018 10:58 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP); McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, December 17, 2018 10:54 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP); bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents resolved your questions, but if you need more information we can talk or schedule a call for the larger group.

Steven D. Peterson



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petersons@ballardspahr.com
VCARD



From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, December 11, 2018 4:28 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)]; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

Thanks,

ap

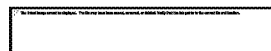
Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, December 11, 2018 10:09 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)]; bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

Steven D. Peterson



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801.531.3001 FAX

petersons@ballardspahr.com

VCARD

www.ballardspahr.com

From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Thursday, November 29, 2018 4:27 PM

To: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

EXTERNAL

Thanks. We will review the answers and get back to you about next steps.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Sonia Perez <sonia@gardnercompany.net>

Sent: Thursday, November 29, 2018 4:24 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; lgoldner@barr.com

Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** Steven D. Peterson <petersons@ballardspahr.com>; bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com

Subject: Answers to Five Questions

Amelia,

I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.

Sonia Perez

GARDNER COMPANY/ Administrative Assistant

201 South Main St. Ste. 2000

Salt Lake City, Utah 84111

Phone: [801.456.4140](tel:801.456.4140)

Fax: [801.366.7194](tel:801.366.7194)

sonia@gardnercompany.net

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 3/13/2019 10:28:18 PM
To: Madigan, Andrea [Madigan.Andrea@epa.gov]
Subject: Potential Richardson Flat elevation issue

Ex. 5 Attorney Client (AC)

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 4:00 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)]; bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Amelia,

This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have already been waiting a number of years. Would there be some way to give us some priority if these 2 settlements are not completed within the next month? We are very concerned about missing an excellent sales market. Thanks.

Steven D. Peterson

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petersons@ballardspahr.com
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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Wednesday, March 13, 2019 3:07 PM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III <[Ex. 6 Personal Privacy \(PP\)](mailto:Ex. 6 Personal Privacy (PP))> McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 2:19 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III <[Ex. 6 Personal Privacy \(PP\)](mailto:Ex. 6 Personal Privacy (PP))> bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Please update us. We are very anxious to conclude this matter. Thanks very much.

Steven D. Peterson

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Salt Lake City, UT 84111-2221
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801.531.3001 FAX

petersons@ballardspahr.com
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www.ballardspahr.com

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, February 12, 2019 12:43 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III <[Ex. 6 Personal Privacy \(PP\)](mailto:Ex. 6 Personal Privacy (PP))> McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>;

robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Tuesday, February 12, 2019 10:35 AM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

Hi Amelia,

Any update on timing?

Steven D. Peterson

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Tuesday, January 29, 2019 8:43 AM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, January 2, 2019 1:40 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Can you give us an update?

Steven D. Peterson

Ballard Spahr
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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, December 17, 2018 10:58 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** [McKinstry, Robert \(Retired\) <bobby@robertbmckinstryjr.com>](mailto:McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>); robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

ED_006076_00001382-00004

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, December 17, 2018 10:54 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents resolved your questions, but if you need more information we can talk or schedule a call for the larger group.

Steven D. Peterson

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, December 11, 2018 4:28 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, December 11, 2018 10:09 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

Steven D. Peterson

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801.531.3001 FAX

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Thursday, November 29, 2018 4:27 PM
To: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Thanks. We will review the answers and get back to you about next steps.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Sonia Perez <sonia@gardnercompany.net>

Sent: Thursday, November 29, 2018 4:24 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; lgoldner@barr.com

Cc: Walter Plumb III Ex. 6 Personal Privacy (PP); Steven D. Peterson <petersons@ballardspahr.com>; bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com

Subject: Answers to Five Questions

Amelia,

I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.

Sonia Perez

GARDNER COMPANY/ Administrative Assistant

201 South Main St. Ste. 2000

Salt Lake City, Utah 84111

Phone: [801.456.4140](tel:801.456.4140)

Fax: [801.366.7194](tel:801.366.7194)

sonia@gardnercompany.net

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 9/19/2019 6:37:35 PM
To: Peterson, Steven D. [petersons@ballardspahr.com]
CC: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: RE: Answers to Five Questions

Hi Steven,

Do you have time next week for a call? I'm going to start drafting and want to touch base before doing so.

Thanks,

ap

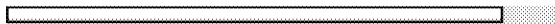
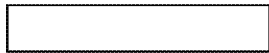
Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, September 17, 2019 3:49 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: RE: Answers to Five Questions

Hi Amelia,

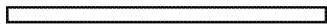
Any update for us?

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, August 20, 2019 9:14 AM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

DOI is working on putting together a number. We're having a call with the State later this week to talk about these agreements. Once we get DOI's number and do our call with the State, I'm hopeful I can start drafting something.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

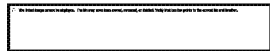
Sent: Monday, August 19, 2019 4:04 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>

Subject: RE: Answers to Five Questions

Monthly update?

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Monday, July 15, 2019 3:46 PM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>

Cc: Walter Plumb; Ex. 6 Personal Privacy (PP) | goldner@barr.com

Subject: RE: Answers to Five Questions

EXTERNAL

All of my timing guesses have been, as you are aware, unrealistically optimistic. I hope to get the next agreement off my desk within the next month or two, which would then allow me to focus on this one, but because a lot of it depends on

other peoples' timeframes, it's difficult for me to say with certainty. I have been and will remain vocal about keeping these settlements a priority.

Thanks,

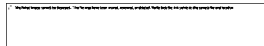
ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D.
Sent: Monday, July 15, 2019 3:38 PM
To: Piggott, Amelia
Cc: Walter Plumb ; lgoldner@barr.com
Subject: RE: Answers to Five Questions

Best guess as to timing? Thanks very much Amelia.

Steven D. Peterson



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petersons@ballardspahr.com
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From: Piggott, Amelia
Sent: Monday, July 15, 2019 3:36 PM
To: Peterson, Steven D. (SLC)
Cc: Walter Plumb ; lgoldner@barr.com
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

We just got the final signature for the Summit County/Gillmor settlement, a copy of which is available here:

<https://yosemite.epa.gov/oa/rhc/epaadmin.nsf/7b598669425eac47852575400050b7e2/4bcfc9fab903f13685258434007981c7!OpenDocument>

Now we are waiting on comments from others (DOJ and DOI) regarding the form settlement without the County as a BFPP. We are trying to get that document finalized, and then we can start discussing how best to settle with your client.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, July 15, 2019 3:16 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb Ex. 6 Personal Privacy (PP) |lgoldner@barr.com
Subject: RE: Answers to Five Questions

What is happening?

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, June 11, 2019 2:08 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

The issue is that we can only use data collected under EPA oversight in order to make Superfund decisions with respect to site boundaries. Currently, there are two ways the Site boundary could change. First, we have parties sample under

an EPA order with EPA oversight, using an EPA-approved Quality Assurance Project Plan (this is the model order we are trying to finalize internally). Alternatively, parties can wait while EPA works through the engineering evaluation/cost analysis process. That process will determine the nature and extent of contamination at the Site, and boundaries may change upon completion of the EE/CA.

Thanks,

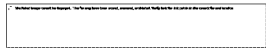
ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D.
Sent: Monday, June 10, 2019 4:21 PM
To: Piggott, Amelia
Subject: RE: Answers to Five Questions

Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.

Steven D. Peterson



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From: Piggott, Amelia
Sent: Monday, June 10, 2019 2:29 PM
To: Peterson, Steven D. (SLC)
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.

Thanks,

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

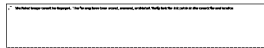
From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, June 10, 2019 11:51 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: RE: Answers to Five Questions

Amelia,

Amelia,

This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, May 20, 2019 3:49 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Robert McKinstry <robert.mckinstry@gmail.com>
Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III
McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

EXTERNAL

Hi Steven,

I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get their comments back this week. I'll be out of town until June 7, but can follow up after that.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Monday, May 20, 2019 1:59 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Robert McKinstry <robert.mckinstry@gmail.com>

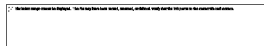
Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com> **Ex. 6 Personal Privacy (PP)**

Subject: RE: Answers to Five Questions

Amelia,

Please update. Thank you.

Steven D. Peterson



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petersons@ballardspahr.com

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Wednesday, April 17, 2019 8:10 AM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com> **Ex. 6 Personal Privacy (PP)**
McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>

Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Tuesday, April 16, 2019 5:54 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com>

Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

Amelia, Please give us an update. Thank you.

Steven D. Peterson



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petersons@ballardspahr.com

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Monday, March 18, 2019 9:30 AM

To: Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com>

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)

<bobby@robertbmckinstryjr.com>

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Bobby,

That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Robert McKinstry <robert.mckinstry@gmail.com>

Sent: Wednesday, March 13, 2019 4:31 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>

Cc: Peterson, Steven D. <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com; Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com

Subject: Re: Answers to Five Questions

Amelia

Are you in a position to share the memo and do you know whether it can be used with the County to promote a more sensible solution. If not, could there be some mechanism where the state could provide sign-offs (consistent with federalism principles)?

Sent from my iPhone
Robert B McKinstry, Jr.
Robert.mckinstry@gmail.com
Bobby@robertbmckinstryjr.com
(m) 484-467-3207
610-444-4449

On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov> wrote:

Steven,

I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer of the property at any time you choose. Having said that, I recognize you are trying to work through the County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will help parties navigate that process. However, we cannot make promises with respect to timeframe at this point.

Thanks,

ap

Amelia Piggott

Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 4:00 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP); bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Amelia,

This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have already been waiting a number of years. Would there be some way to give us some priority if these 2 settlements are not completed within the next month? We are very concerned about missing an excellent sales market. Thanks.

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
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petersons@ballardspahr.com
[vcard](#)

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Wednesday, March 13, 2019 3:07 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP); McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help

expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 2:19 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Please update us. We are very anxious to conclude this matter. Thanks very much.

Steven D. Peterson



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Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, February 12, 2019 12:43 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez
<sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, February 12, 2019 10:35 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Any update on timing?

Steven D. Peterson



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801.531.3023 DIRECT
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petersons@ballardspahr.com
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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, January 29, 2019 8:43 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez
<sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** [McKinstry, Robert \(Retired\)](mailto:McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>)
<bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, January 2, 2019 1:40 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Can you give us an update?

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221

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[801.531.3001](tel:801.531.3001) FAX

petersons@ballardspahr.com
[vcard](#)

www.ballardspahr.com

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, December 17, 2018 10:58 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)

<bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Monday, December 17, 2018 10:54 AM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com

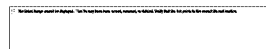
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

Hi Amelia,

Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents resolved your questions, but if you need more information we can talk or schedule a call for the larger group.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Tuesday, December 11, 2018 4:28 PM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III Ex. 6 Personal Privacy (PP); McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Tuesday, December 11, 2018 10:09 AM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III Ex. 6 Personal Privacy (PP) bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

Hi Amelia,

Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

Steven D. Peterson



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Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
[vcard](#)

From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Thursday, November 29, 2018 4:27 PM
To: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb II; Ex. 6 Personal Privacy (PP) }; Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Thanks. We will review the answers and get back to you about next steps.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Sonia Perez <sonia@gardnercompany.net>
Sent: Thursday, November 29, 2018 4:24 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; lgoldner@barr.com
Cc: Walter Plumb III; Ex. 6 Personal Privacy (PP) }; Steven D. Peterson <petersons@ballardspahr.com>; bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: Answers to Five Questions

Amelia,

I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.

Sonia Perez

GARDNER COMPANY/ Administrative Assistant

201 South Main St. Ste. 2000

Salt Lake City, Utah 84111

Phone: [801.456.4140](tel:801.456.4140)

Fax: [801.366.7194](tel:801.366.7194)

sonia@gardnercompany.net

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 9/19/2019 7:18:53 PM
To: Peterson, Steven D. [petersons@ballardspahr.com]
CC: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: RE: Answers to Five Questions

How about next Thursday at 10:00 am?

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

-----Original Message-----

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Thursday, September 19, 2019 1:10 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: Re: Answers to Five Questions

Yes. Any day, but Monday. Please suggest a day and a few times. Thank you.

Sent from my iPhone

On Sep 19, 2019, at 12:36 PM, Piggott, Amelia <Piggott.Amelia@epa.govmailto:Piggott.Amelia@epa.gov>> wrote:

⚠ EXTERNAL
Hi Steven,

Do you have time next week for a call? I'm going to start drafting and want to touch base before doing so.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.commailto:petersons@ballardspahr.com>>
Sent: Tuesday, September 17, 2019 3:49 PM
To: Piggott, Amelia <Piggott.Amelia@epa.govmailto:Piggott.Amelia@epa.gov>>
Cc: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: RE: Answers to Five Questions

Hi Amelia,

Any update for us?

Steven D. Peterson

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<image004.jpg>

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801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image005.jpg>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>
Sent: Tuesday, August 20, 2019 9:14 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Hi Steven,

DOI is working on putting together a number. We're having a call with the State later this week to talk about these agreements. Once we get DOI's number and do our call with the State, I'm hopeful I can start drafting something.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>
Sent: Monday, August 19, 2019 4:04 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>
Subject: RE: Answers to Five Questions

Monthly update?

Steven D. Peterson

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801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>
Sent: Monday, July 15, 2019 3:46 PM
To: Peterson, Steven D. (SIC) <~~petersons@ballardspahr.com~~<<mailto:petersons@ballardspahr.com>>>
Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)**
~~lgoldner@barr.com~~<lgoldner@barr.com>
Subject: RE: Answers to Five Questions

△ EXTERNAL

All of my timing guesses have been, as you are aware, unrealistically optimistic. I hope to get the next agreement off my desk within the next month or two, which would then allow me to focus on this one, but because a lot of it depends on other peoples' timeframes, it's difficult for me to say with certainty. I have been and will remain vocal about keeping these settlements a priority.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D.
Sent: Monday, July 15, 2019 3:38 PM
To: Piggott, Amelia
Cc: Walter Plumb ; lgoldner@barr.com<<mailto:lgoldner@barr.com>>
Subject: RE: Answers to Five Questions

Best guess as to timing? Thanks very much Amelia.

Steven D. Peterson

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801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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www.ballardspahr.com<<http://www.ballardspahr.com/>>

From: Piggott, Amelia
Sent: Monday, July 15, 2019 3:36 PM

To: Peterson, Steven D. (SLC)
Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

We just got the final signature for the Summit County/Gillmor settlement, a copy of which is available here:

<https://yosemite.epa.gov/oa/rhc/epaadmin.nsf/7b598669425eac47852575400050b7e2/4bcfc9fab903f13685258434007981c7!OpenDocument>

Now we are waiting on comments from others (DOJ and DOI) regarding the form settlement without the County as a BFPP. We are trying to get that document finalized, and then we can start discussing how best to settle with your client.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Monday, July 15, 2019 3:16 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Cc: Walter Plumb
lgoldner@barr.com<mailto:lgoldner@barr.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

What is happening?

Steven D. Peterson

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801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, June 11, 2019 2:08 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Steven,

The issue is that we can only use data collected under EPA oversight in order to make Superfund decisions with respect to site boundaries. Currently, there are two ways the Site boundary could change. First, we have parties sample under an EPA order with EPA oversight, using an EPA-approved Quality Assurance Project Plan (this is the model order we are trying to finalize internally). Alternatively, parties can wait while EPA works through the engineering evaluation/cost analysis process. That process will

determine the nature and extent of contamination at the Site, and boundaries may change upon completion of the EE/CA.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D.
Sent: Monday, June 10, 2019 4:21 PM
To: Piggott, Amelia
Subject: RE: Answers to Five Questions

Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.

Steven D. Peterson

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From: Piggott, Amelia
Sent: Monday, June 10, 2019 2:29 PM
To: Peterson, Steven D. (SLC)
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Steven,

I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.

Thanks,

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>
Sent: Monday, June 10, 2019 11:51 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>

Subject: RE: Answers to Five Questions

Amelia,

Amelia,

This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.

Steven D. Peterson

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801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>
Sent: Monday, May 20, 2019 3:49 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>; Robert McKinstry <robert.mckinstry@gmail.com<<mailto:robert.mckinstry@gmail.com>>>
Cc: Sonia Perez <sonia@gardnercompany.net<<mailto:sonia@gardnercompany.net>>>;
lgoldner@barr.com<<mailto:lgoldner@barr.com>>>; Walter Plumb III
Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<<mailto:bobby@robertbmckinstryjr.com>>>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Hi Steven,

I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get their comments back this week. I'll be out of town until June 7, but can follow up after that.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com<<mailto:petersons@ballardspahr.com>>>
Sent: Monday, May 20, 2019 1:59 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<<mailto:Piggott.Amelia@epa.gov>>>; Robert McKinstry <robert.mckinstry@gmail.com<<mailto:robert.mckinstry@gmail.com>>>
Cc: Sonia Perez <sonia@gardnercompany.net<<mailto:sonia@gardnercompany.net>>>;
lgoldner@barr.com<<mailto:lgoldner@barr.com>>>; Walter Plumb III
Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<<mailto:bobby@robertbmckinstryjr.com>>>
Subject: RE: Answers to Five Questions

Amelia,

Please update. Thank you.

Steven D. Peterson

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<image006.jpg>

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801.531.3023 <tel:801.531.3023> direct
801.531.3001 <tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com <mailto:petersons@ballardspahr.com>
vcard <<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

<image007.jpg>

www.ballardspahr.com <<http://www.ballardspahr.com/>>

From: Piggott, Amelia <Piggott.Amelia@epa.gov> <mailto:Piggott.Amelia@epa.gov>>
Sent: Wednesday, April 17, 2019 8:10 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com> <mailto:petersons@ballardspahr.com>>; Robert McKinstry <robert.mckinstry@gmail.com> <mailto:robert.mckinstry@gmail.com>>
Cc: Sonia Perez <sonia@gardnercompany.net> <mailto:sonia@gardnercompany.net>>;
lgoldner@harr.com <mailto:lgoldner@harr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)

<bobby@robertbmckinstryjr.com> <mailto:bobby@robertbmckinstryjr.com>>

Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Steven,

We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com> <mailto:petersons@ballardspahr.com>>
Sent: Tuesday, April 16, 2019 5:54 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov> <mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry <robert.mckinstry@gmail.com> <mailto:robert.mckinstry@gmail.com>>
Cc: Sonia Perez <sonia@gardnercompany.net> <mailto:sonia@gardnercompany.net>>;
lgoldner@harr.com <mailto:lgoldner@harr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

<bobby@robertbmckinstryjr.com> <mailto:bobby@robertbmckinstryjr.com>>

Subject: RE: Answers to Five Questions

Amelia, Please give us an update. Thank you.

Steven D. Peterson

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<image006.jpg>

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801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<http://maps.apple.com/?address=,,,>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>

<image007.jpg>

www.ballardspahr.com<http://www.ballardspahr.com/>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Monday, March 18, 2019 9:30 AM
To: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III
McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
Subject: RE: Answers to Five Questions

△ EXTERNAL
Hi Bobby,

That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
Sent: Wednesday, March 13, 2019 4:31 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Cc: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>;
Walter Plumb III
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
Subject: Re: Answers to Five Questions

Amelia

Are you in a position to share the memo and do you know whether it can be used with the County to promote a more sensible solution. If not, could there be some mechanism where the state could provide sign-offs (consistent with federalism principles)?

Sent from my iPhone

Robert B McKinstry, Jr.

Robert.mckinstry@gmail.com<mailto:Robert.mckinstry@gmail.com>

Bobby@robertbmckinstryjr.com<mailto:Bobby@robertbmckinstryjr.com>

(m) 484-467-3207

610-444-4449

On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
wrote:
Steven,

I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer of the property at any time you choose. Having said that, I recognize you are trying to work through the County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will help parties navigate that process. However, we cannot make promises with respect to timeframe at this point.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Wednesday, March 13, 2019 4:00 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Amelia,

This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have already been waiting a number of years. Would there be some way to give us some priority if these 2 settlements are not completed within the next month? We are very concerned about missing an excellent sales market. Thanks.

Steven D. Peterson

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801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Wednesday, March 13, 2019 3:07 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL
Steven,

We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

Thanks,

ap

Amelia Piggott

Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Wednesday, March 13, 2019 2:19 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Hi Amelia,

Please update us. We are very anxious to conclude this matter. Thanks very much.

Steven D. Peterson

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2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20suite%20800,201%20South%20Main%20Street,salt%20Lake%20City,UT,84111-2221>>
801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, February 12, 2019 12:43 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL
Hi Steven,

I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Tuesday, February 12, 2019 10:35 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

Cc: Walter Plumb III
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

Hi Amelia,

Any update on timing?

Steven D. Peterson

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801.531.3023<tel:801.531.3023> direct
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petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, January 29, 2019 8:43 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)

EXTERNAL
Steven,

I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Wednesday, January 2, 2019 1:40 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Ex. 6 Personal Privacy (PP)

Hi Amelia,

Can you give us an update?

Steven D. Peterson

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801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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www.ballardspahr.com<<http://www.ballardspahr.com/>>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Monday, December 17, 2018 10:58 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III <wplumb@ballardspahr.com>> **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

△ EXTERNAL

Hi Steven,

I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Monday, December 17, 2018 10:54 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III <wplumb@ballardspahr.com>> **Ex. 6 Personal Privacy (PP)**
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Hi Amelia,

Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents resolved your questions, but if you need more information we can talk or schedule a call for the larger group.

Steven D. Peterson

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801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

<<http://maps.apple.com/?address=,,,>>

petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Tuesday, December 11, 2018 4:28 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III [REDACTED] McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

△ EXTERNAL
Hi Steven,

Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
Sent: Tuesday, December 11, 2018 10:09 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
Cc: Walter Plumb III [REDACTED] McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

Hi Amelia,

Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

Steven D. Peterson

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801.531.3023<tel:801.531.3023> direct
801.531.3001<tel:801.531.3001> fax

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vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
<image007.jpg>
www.ballardspahr.com<http://www.ballardspahr.com/>

From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
Sent: Thursday, November 29, 2018 4:27 PM
To: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III <[REDACTED]> Peterson, Steven D. (SLC)
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

⚠ EXTERNAL

Thanks. We will review the answers and get back to you about next steps.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>
Sent: Thursday, November 29, 2018 4:24 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
Cc: Walter Plumb III <[REDACTED]> Steven D. Peterson
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>;
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
Subject: Answers to Five Questions

Amelia,

I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.

Sonia Perez
GARDNER COMPANY/ Administrative Assistant
201 South Main St. Ste. 2000
Salt Lake City, Utah 84111
Phone: 801.456.4140<tel:801.456.4140>
Fax: 801.366.7194<tel:801.366.7194>
sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 9/23/2019 1:15:40 PM
To: Peterson, Steven D. [petersons@ballardspahr.com]
CC: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: RE: Answers to Five Questions

Sounds good, thanks.

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

-----Original Message-----

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Saturday, September 21, 2019 8:55 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb [Ex. 6 Personal Privacy (PP)]
Subject: Re: Answers to Five Questions

Can't recall whether I replied. That will work. Walt will join me on the call. You can call my direct line and we will be in my office.

Sent from my iPhone

> On Sep 19, 2019, at 1:18 PM, Piggott, Amelia <Piggott.Amelia@epa.gov> wrote:

>

> ⚠ EXTERNAL

>

> How about next Thursday at 10:00 am?

>

> Thanks,

>

> ap

>

> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>

>

>

> -----Original Message-----

> From: Peterson, Steven D. <petersons@ballardspahr.com>
> Sent: Thursday, September 19, 2019 1:10 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov>
> Cc: Walter Plumb [Ex. 6 Personal Privacy (PP)]
> Subject: Re: Answers to Five Questions
>

> Yes. Any day, but Monday. Please suggest a day and a few times. Thank you.

>

> Sent from my iPhone

>

> On Sep 19, 2019, at 12:36 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>> wrote:

>

> ⚠ EXTERNAL

> Hi Steven,

>

> Do you have time next week for a call? I'm going to start drafting and want to touch base before doing so.

>

> Thanks,

>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, September 17, 2019 3:49 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)**
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Any update for us?
>
> Steven D. Peterson
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2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>
> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, August 20, 2019 9:14 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Hi Steven,
>
> DOI is working on putting together a number. We're having a call with the State later this week to
talk about these agreements. Once we get DOI's number and do our call with the State, I'm hopeful I can
start drafting something.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, August 19, 2019 4:04 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Subject: RE: Answers to Five Questions
>
> Monthly update?
>
> Steven D. Peterson
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, July 15, 2019 3:46 PM
> To: Peterson, Steven D. <petersons@ballardspahr.com>
> Cc: Walter Plumb; lgoldner@barr.com
> Subject: RE: Answers to Five Questions
>
> **Ex. 6 Personal Privacy (PP)**
> lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> All of my timing guesses have been, as you are aware, unrealistically optimistic. I hope to get the next agreement off my desk within the next month or two, which would then allow me to focus on this one, but because a lot of it depends on other peoples' timeframes, it's difficult for me to say with certainty. I have been and will remain vocal about keeping these settlements a priority.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D.
> Sent: Monday, July 15, 2019 3:38 PM
> To: Piggott, Amelia
> Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> Best guess as to timing? Thanks very much Amelia.
>
> Steven D. Peterson
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> 801.531.3023<tel:801.531.3023> direct
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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>
> From: Piggott, Amelia
> Sent: Monday, July 15, 2019 3:36 PM
> To: Peterson, Steven D. (SLC)
> Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> We just got the final signature for the Summit County/Gillmor settlement, a copy of which is available here:
>
>
> https://yosemite.epa.gov/oa/rhc/epaadmin.nsf/7b598669425eac47852575400050b7e2/4bcfc9fab903f13685258434007981c7!OpenDocument
>
> Now we are waiting on comments from others (DOJ and DOI) regarding the form settlement without the County as a BFPP. We are trying to get that document finalized, and then we can start discussing how best to settle with your client.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, July 15, 2019 3:16 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> What is happening?
>
> Steven D. Peterson
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, June 11, 2019 2:08 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> The issue is that we can only use data collected under EPA oversight in order to make superfund decisions with respect to site boundaries. Currently, there are two ways the Site boundary could change. First, we have parties sample under an EPA order with EPA oversight, using an EPA-approved Quality Assurance Project Plan (this is the model order we are trying to finalize internally). Alternatively, parties can wait while EPA works through the engineering evaluation/cost analysis process. That process will determine the nature and extent of contamination at the Site, and boundaries may change upon completion of the EE/CA.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D.
> Sent: Monday, June 10, 2019 4:21 PM
> To: Piggott, Amelia
> Subject: RE: Answers to Five Questions
>
> Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.
>
> Steven D. Peterson
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> From: Piggott, Amelia
> Sent: Monday, June 10, 2019 2:29 PM
> To: Peterson, Steven D. (SLC)
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.
>
> Thanks,
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.commailto:petersons@ballardspahr.com>>
> Sent: Monday, June 10, 2019 11:51 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.govmailto:Piggott.Amelia@epa.gov>>
> Subject: RE: Answers to Five Questions
>
> Amelia,
>
> Amelia,
>
> This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.
>
> Steven D. Peterson
>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.govmailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, May 20, 2019 3:49 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.commailto:petersons@ballardspahr.com>>; Robert McKinstry <robert.mckinstry@gmail.commailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.netmailto:sonia@gardnercompany.net>;
> goldner@barr.commailto:goldner@barr.com>; Walter Plumb III
Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.commailto:bobby@robertbmckinstryjr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Hi Steven,
>

> I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get their comments back this week. I'll be out of town until June 7, but can follow up after that.

>
> Thanks,
>
> ap

> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, May 20, 2019 1:59 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry
<robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
<goldner@barr.com<mailto:goldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
> Subject: RE: Answers to Five Questions

>
> Amelia,
>
> Please update. Thank you.
>
> Steven D. Peterson
>

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2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>>
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> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Wednesday, April 17, 2019 8:10 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Robert
McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
<goldner@barr.com<mailto:goldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
> Subject: RE: Answers to Five Questions

>
> ⚠ EXTERNAL
> Steven,
>

> We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.
>

> Thanks,

>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, April 16, 2019 5:54 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry
<robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III
Ex. 6 Personal Privacy (PP)
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
> Subject: RE: Answers to Five Questions
>
> Amelia, Please give us an update. Thank you.
>
> Steven D. Peterson
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, March 18, 2019 9:30 AM
> To: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>; Walter Plumb III
Ex. 6 Personal Privacy (PP)
McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
> Subject: RE: Answers to Five Questions
>
>  EXTERNAL
> Hi Bobby,
>
> That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Sent: Wednesday, March 13, 2019 4:31 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Cc: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>

Walter Plumb III

Ex. 6 Personal Privacy (PP)

bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>

> Subject: Re: Answers to Five Questions

>
> Amelia

> Are you in a position to share the memo and do you know whether it can be used with the County to promote a more sensible solution. If not, could there be some mechanism where the state could provide sign-offs (consistent with federalism principles)?

> Sent from my iPhone

> Robert B McKinstry, Jr.

> Robert.mckinstry@gmail.com<mailto:Robert.mckinstry@gmail.com>

> Bobby@robertbmckinstryjr.com<mailto:Bobby@robertbmckinstryjr.com>

> (m) 484-467-3207

> 610-444-4449

> On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>> wrote:

> Steven,

> I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer of the property at any time you choose. Having said that, I recognize you are trying to work through the County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will help parties navigate that process. However, we cannot make promises with respect to timeframe at this point.

>
> Thanks,

>
> ap

> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Wednesday, March 13, 2019 4:00 PM

> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III

Ex. 6 Personal Privacy (PP)

bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;

robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>
> Amelia,

> This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have already been waiting a number of years. Would there be some way to give us some priority if these 2 settlements are not completed within the next month? We are very concerned about missing an excellent sales market. Thanks.

>
> Steven D. Peterson

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> 801.531.3023<tel:801.531.3023> direct

> 801.531.3001<tel:801.531.3001> fax

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> www.ballardspahr.com<<http://www.ballardspahr.com/>>

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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Wednesday, March 13, 2019 3:07 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Wednesday, March 13, 2019 2:19 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Please update us. We are very anxious to conclude this matter. Thanks very much.
>
> Steven D. Peterson
>
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> One Utah Center, Suite 800, 201 South Main Street Salt Lake City, UT 84111-2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,salt%20Lake%20City,UT,84111-2221>>
> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
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> <<http://maps.apple.com/?address=,,,>>
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<<https://vcards.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>
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> www.ballardspahr.com<<http://www.ballardspahr.com/>>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, February 12, 2019 12:43 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>

> ⚠ EXTERNAL

> Hi Steven,

>

> I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

>

> Thanks,

>

> ap

>

> Amelia Piggott

> Attorney

> U.S. EPA Region 8

> 303.312.6410

>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>

> Sent: Tuesday, February 12, 2019 10:35 AM

> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III <wplumb@ballardspahr.com> **Ex. 6 Personal Privacy (PP)**

> bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;

> robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>

> Hi Amelia,

>

> Any update on timing?

>

> Steven D. Peterson

>

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> 801.531.3023<tel:801.531.3023> direct

> 801.531.3001<tel:801.531.3001> fax

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> <<http://maps.apple.com/?address=,,,>>

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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>

> vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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> www.ballardspahr.com<<http://www.ballardspahr.com/>>

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> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>

> Sent: Tuesday, January 29, 2019 8:43 AM

> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III <wplumb@ballardspahr.com> **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)

> bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;

> robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>

> ⚠ EXTERNAL

> Steven,

>

> I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

>

> Thanks,

>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Wednesday, January 2, 2019 1:40 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
> <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP)
> bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
> robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Can you give us an update?
>
> Steven D. Peterson
>
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> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, December 17, 2018 10:58 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
> Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
> lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
> <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
> robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
>  EXTERNAL
> Hi Steven,
>
> I still need to dig into the documents. I hope to do so this and next week, and will let you know if I
have any additional questions.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, December 17, 2018 10:54 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
> <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)**
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents
resolved your questions, but if you need more information we can talk or schedule a call for the larger
group.
>
> Steven D. Peterson
>
> [Image removed by sender. http://images.ballardspahr.com/EmailTemplate/Ballard-11p-
x2.gif]<http://www.ballardspahr.com/>
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2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,salt%2
0Lake%20City,UT,84111-2221>
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, December 11, 2018 4:28 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>>
> Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
>  EXTERNAL
> Hi Steven,
>
> Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions
about how the Seller still has a recorded interest in the property, and the Seller's relationship with
the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an
entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option
Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the
property. Please let me know when would work for a call. I'm fairly booked this week, but have more
availability next week.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, December 11, 2018 10:09 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>>
> Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)**
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>

> Hi Amelia,
>
> Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.
>
> Steven D. Peterson
>
> [Image removed by sender. http://images.ballardspahr.com/EmailTemplate/Ballard-11p-x2.gif]<http://www.ballardspahr.com/>
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> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Thursday, November 29, 2018 4:27 PM
> To: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP) Peterson, Steven D. (SLC)
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Thanks. We will review the answers and get back to you about next steps.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>
> Sent: Thursday, November 29, 2018 4:24 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III [REDACTED] Ex. 6 Personal Privacy (PP) Steven D. Peterson
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>;
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: Answers to Five Questions
>
> Amelia,
>
> I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.
>
>
> Sonia Perez
> GARDNER COMPANY/ Administrative Assistant
> 201 South Main St. Ste. 2000
> Salt Lake City, Utah 84111
> Phone: 801.456.4140<tel:801.456.4140>
> Fax: 801.366.7194<tel:801.366.7194>
> sonia@gardnercompany.net<mailto:dean@gardnercompany.net>

>
>
>
>

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 9/26/2019 3:56:16 PM
To: Peterson, Steven D. [petersons@ballardspahr.com]
Subject: RE: Answers to Five Questions

Steven,

Can you please send me your direct line for our call?

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

-----Original Message-----

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Saturday, September 21, 2019 8:55 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Walter Plumb <wplumb@ballardspahr.com>
Subject: Re: Answers to Five Questions

Can't recall whether I replied. That will work. Walt will join me on the call. You can call my direct line and we will be in my office.

Sent from my iPhone

> On Sep 19, 2019, at 1:18 PM, Piggott, Amelia <Piggott.Amelia@epa.gov> wrote:

>

> ⚠ EXTERNAL

>

> How about next Thursday at 10:00 am?

>

> Thanks,

>

> ap

>

> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410

>

>

> -----Original Message-----

> From: Peterson, Steven D. <petersons@ballardspahr.com>
> Sent: Thursday, September 19, 2019 1:10 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov>
> Cc: Walter Plumb <wplumb@ballardspahr.com>
> Subject: Re: Answers to Five Questions

>

> Yes. Any day, but Monday. Please suggest a day and a few times. Thank you.

>

> Sent from my iPhone

>

> On Sep 19, 2019, at 12:36 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
wrote:

>

> ⚠ EXTERNAL

> Hi Steven,

>

> Do you have time next week for a call? I'm going to start drafting and want to touch base before doing so.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, September 17, 2019 3:49 PM
> To: Piggott, Amelia <Amelia.Piggott@epa.gov>
> Cc: Walter Plumb
> Subject: RE: Answers to Five Questions
Ex. 6 Personal Privacy (PP)
>
> Hi Amelia,
>
> Any update for us?
>
> Steven D. Peterson
>
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>
> One Utah Center, Suite 800, 201 South Main Street Salt Lake City, UT 84111-
2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>
> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
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>
> <http://maps.apple.com/?address=,,,>
>
>
> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, August 20, 2019 9:14 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Hi Steven,
>
> DOI is working on putting together a number. We're having a call with the State later this week to talk about these agreements. Once we get DOI's number and do our call with the State, I'm hopeful I can start drafting something.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel

> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, August 19, 2019 4:04 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Subject: RE: Answers to Five Questions
>
> Monthly update?
>
> Steven D. Peterson
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, July 15, 2019 3:46 PM
> To: Peterson, Steven D. (S.D.) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Cc: Walter Plumb; **Ex. 6 Personal Privacy (PP)**
> lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> All of my timing guesses have been, as you are aware, unrealistically optimistic. I hope to get the next agreement off my desk within the next month or two, which would then allow me to focus on this one, but because a lot of it depends on other peoples' timeframes, it's difficult for me to say with certainty. I have been and will remain vocal about keeping these settlements a priority.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D.
> Sent: Monday, July 15, 2019 3:38 PM
> To: Piggott, Amelia
> Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> Best guess as to timing? Thanks very much Amelia.
>

> Steven D. Peterson
>
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> 801.531.3001<tel:801.531.3001> fax
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
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>
> From: Piggott, Amelia
> Sent: Monday, July 15, 2019 3:36 PM
> To: Peterson, Steven D. (SLC)
> Cc: Walter Plumb ; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> We just got the final signature for the Summit County/Gillmor settlement, a copy of which is available here:
>
>
> <https://yosemite.epa.gov/oa/rhc/epaadmin.nsf/7b598669425eac47852575400050b7e2/4bcfc9fab903f13685258434007981c7!OpenDocument>
>
> Now we are waiting on comments from others (DOJ and DOI) regarding the form settlement without the County as a BFPP. We are trying to get that document finalized, and then we can start discussing how best to settle with your client.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, July 15, 2019 3:16 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov><mailto:Piggott.Amelia@epa.gov>>
> Cc: Walter Plumb; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Subject: RE: Answers to Five Questions
>
> What is happening?
>
> Steven D. Peterson
>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, June 11, 2019 2:08 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> The issue is that we can only use data collected under EPA oversight in order to make Superfund decisions with respect to site boundaries. Currently, there are two ways the Site boundary could change. First, we have parties sample under an EPA order with EPA oversight, using an EPA-approved Quality Assurance Project Plan (this is the model order we are trying to finalize internally). Alternatively, parties can wait while EPA works through the engineering evaluation/cost analysis process. That process will determine the nature and extent of contamination at the Site, and boundaries may change upon completion of the EE/CA.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D.
> Sent: Monday, June 10, 2019 4:21 PM
> To: Piggott, Amelia
> Subject: RE: Answers to Five Questions
>
> Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.
>
> Steven D. Peterson
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>
> From: Piggott, Amelia
> Sent: Monday, June 10, 2019 2:29 PM
> To: Peterson, Steven D. (SLC)
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.
>
> Thanks,
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, June 10, 2019 11:51 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Subject: RE: Answers to Five Questions
>
> Amelia,
>
> Amelia,
>
> This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.
>
> Steven D. Peterson
>
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> <<http://maps.apple.com/?address=,,,>>
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> vcard<<https://vcad.ballardspahr.com/Api/Signature/?vkey=8562AE5E28654471082E7EBE9858833B&format=vcad>>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, May 20, 2019 3:49 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; J. L. Loldner <loldner@barr.com<mailto:loldner@barr.com>>; Walter Plumb III <wplumb@barr.com>
> **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
> <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
> Subject: RE: Answers to Five Questions
>

> △ EXTERNAL
> Hi Steven,
>
> I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get their comments back this week. I'll be out of town until June 7, but can follow up after that.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Senior Assistant Regional Counsel
> CERCLA Enforcement Section
> Office of Regional Counsel
> U.S. EPA Region 8
> (303) 312-6410
>
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, May 20, 2019 1:59 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
~~lgoldner@harr.com<mailto:lgoldner@harr.com>; Walter Plumb III~~
Ex. 6 Personal Privacy (PP)
~~bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>~~
> Subject: RE: Answers to Five Questions
>
> Amelia,
>
> Please update. Thank you.
>
> Steven D. Peterson
>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Wednesday, April 17, 2019 8:10 AM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
~~lgoldner@harr.com<mailto:lgoldner@harr.com>; Walter Plumb III~~
Ex. 6 Personal Privacy (PP)
~~bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>~~ McKinstry, Robert (Retired)
> Subject: RE: Answers to Five Questions
>
>
> △ EXTERNAL
> Steven,
>
> We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize


the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.

>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, April 16, 2019 5:54 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Robert McKinstry
> <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
> lqoldner@barr.com<mailto:lqoldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
> Subject: RE: Answers to Five Questions
>
> Amelia, Please give us an update. Thank you.
>
> Steven D. Peterson
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Monday, March 18, 2019 9:30 AM
> To: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lqoldner@barr.com<mailto:lqoldner@barr.com>; Walter Plumb III

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>
> Subject: RE: Answers to Five Questions
>
>  EXTERNAL
> Hi Bobby,
>
> That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Robert McKinstry <robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>>
> Sent: Wednesday, March 13, 2019 4:31 PM

> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
 > Cc: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez
 <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>;
 Walter Plumb III
 bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>
 > Subject: Re: Answers to Five Questions
 >
 > Amelia
 >
 > Are you in a position to share the memo and do you know whether it can be used with the County to
 promote a more sensible solution. If not, could there be some mechanism where the state could provide
 sign-offs (consistent with federalism principles)?
 > Sent from my iPhone
 > Robert B McKinstry, Jr.
 > Robert.mckinstry@gmail.com<mailto:Robert.mckinstry@gmail.com>
 > Bobby@robertbmckinstryjr.com<mailto:Bobby@robertbmckinstryjr.com>
 > (m) 484-467-3207
 > 610-444-4449
 >
 > On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
 wrote:
 > Steven,
 >
 > I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get
 these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer
 of the property at any time you choose. Having said that, I recognize you are trying to work through the
 County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will
 help parties navigate that process. However, we cannot make promises with respect to timeframe at this
 point.
 >
 > Thanks,
 >
 > ap
 >
 > Amelia Piggott
 > Attorney
 > U.S. EPA Region 8
 > 303.312.6410
 >
 > From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
 > Sent: Wednesday, March 13, 2019 4:00 PM
 > To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
 <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
 > Cc: Walter Plumb III
 bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
 robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
 > Subject: RE: Answers to Five Questions
 >
 > Amelia,
 >
 > This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have
 already been waiting a number of years. Would there be some way to give us some priority if these 2
 settlements are not completed within the next month? We are very concerned about missing an excellent
 sales market. Thanks.
 >
 > Steven D. Peterson
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Wednesday, March 13, 2019 3:07 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
> <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Steven,
>
> We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Wednesday, March 13, 2019 2:19 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)**
> <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Please update us. We are very anxious to conclude this matter. Thanks very much.
>
> Steven D. Peterson
>
> [Image removed by sender. http://images.ballardspahr.com/EmailTemplate/Ballard-11p-x2.gif]<http://www.ballardspahr.com/>
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> <image006.jpg>
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>
> One Utah Center, Suite 800, 201 South Main Street Salt Lake City, UT 84111-2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>
> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
>
>
> <http://maps.apple.com/?address=,,,>
>
>
> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
>
> <image007.jpg>
>
> www.ballardspahr.com<http://www.ballardspahr.com/>
>
>
>
>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, February 12, 2019 12:43 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
 <bobby@robertbmckinstryjr.com><mailto:bobby@robertbmckinstryjr.com>;
 robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
 > Subject: RE: Answers to Five Questions
 >
 > ⚠ EXTERNAL
 > Hi Steven,
 >
 > I'm still at least a month out from being able to provide a response. As we've discussed, there are two
 other parties who requested settlements. We're trying to wrap one up, get the other started, and then I
 can turn to understanding the facts associated with the purchase and sale, and figure out the best
 settlement mechanism for this situation. I appreciate your patience as we work through these issues.
 >
 > Thanks,
 >
 > ap
 >
 > Amelia Piggott
 > Attorney
 > U.S. EPA Region 8
 > 303.312.6410
 >
 > From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
 > Sent: Tuesday, February 12, 2019 10:35 AM
 > To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
 <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
 > Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)**
 bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
 robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
 > Subject: RE: Answers to Five Questions
 >
 > Hi Amelia,
 >
 > Any update on timing?
 >
 > Steven D. Peterson
 >
 > [Image removed by sender. <http://images.ballardspahr.com/EmailTemplate/Ballard-11p-x2.gif>]<<http://www.ballardspahr.com/>>
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 > <image006.jpg>
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 2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%20Lake%20City,UT,84111-2221>>
 > 801.531.3023<tel:801.531.3023> direct
 > 801.531.3001<tel:801.531.3001> fax
 >
 >
 > <<http://maps.apple.com/?address=,,,>>>
 >
 >
 > petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
 > vcard<<https://vcards.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>
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 > www.ballardspahr.com<<http://www.ballardspahr.com/>>
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 >
 >
 > From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
 > Sent: Tuesday, January 29, 2019 8:43 AM
 > To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
 Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
 lgoldner@barr.com<mailto:lgoldner@barr.com>
 > Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
 <bobby@robertbmckinstryjr.com><mailto:bobby@robertbmckinstryjr.com>;
 robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
 > Subject: RE: Answers to Five Questions
 >
 > ⚠ EXTERNAL
 > Steven,
 >

> I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

>

> Thanks,

>

> ap

>

> Amelia Piggott

> Attorney

> U.S. EPA Region 8

> 303.312.6410

>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>

> Sent: Wednesday, January 2, 2019 1:40 PM

> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>

> Hi Amelia,

>

> Can you give us an update?

>

> Steven D. Peterson

>

> [Image removed by sender. <http://images.ballardspahr.com/EmailTemplate/Ballard-llp-x2.gif>]<<http://www.ballardspahr.com/>>

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> One Utah Center, Suite 800, 201 South Main Street Salt Lake City, UT 84111-2221<<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,salt%20Lake%20City,UT,84111-2221>>

> 801.531.3023<tel:801.531.3023> direct

> 801.531.3001<tel:801.531.3001> fax

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> <<http://maps.apple.com/?address=,,,>>

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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>

> vcard<<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>>

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> <image007.jpg>

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> www.ballardspahr.com<<http://www.ballardspahr.com/>>

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>

> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>

> Sent: Monday, December 17, 2018 10:58 AM

> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>; robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>

> Subject: RE: Answers to Five Questions

>

> ⚠ EXTERNAL

> Hi Steven,

>

> I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

>

> Thanks,

>

> ap

>

> Amelia Piggott

> Attorney

> U.S. EPA Region 8

> 303.312.6410

>

> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Monday, December 17, 2018 10:54 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)**
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents
resolved your questions, but if you need more information we can talk or schedule a call for the larger
group.
>
> Steven D. Peterson
>
> [Image removed by sender. http://images.ballardspahr.com/EmailTemplate/Ballard-11p-
x2.gif]<http://www.ballardspahr.com/>
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> <image006.jpg>
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> One Utah Center, Suite 800, 201 South Main Street Salt Lake City, UT 84111-
2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,salt%2
OLake%20City,UT,84111-2221>
> 801.531.3023<tel:801.531.3023> direct
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> <http://maps.apple.com/?address=,,,>
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>
> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
>
> <image007.jpg>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
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>
>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Tuesday, December 11, 2018 4:28 PM
> To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Sonia
Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
>  EXTERNAL
> Hi Steven,
>
> Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions
about how the Seller still has a recorded interest in the property, and the Seller's relationship with
the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an
entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option
Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the
property. Please let me know when would work for a call. I'm fairly booked this week, but have more
availability next week.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Peterson, Steven D. <petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>
> Sent: Tuesday, December 11, 2018 10:09 AM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>; Sonia Perez
<sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>; lgoldner@barr.com<mailto:lgoldner@barr.com>

> Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)**
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> Hi Amelia,
>
> Do the answers we have provided give you what you need? Please advise regarding the status of this
matter. Thanks very much.
>
> Steven D. Peterson
>
> [Image removed by sender. http://images.ballardspahr.com/EmailTemplate/Ballard-11p-
x2.gif]<http://www.ballardspahr.com/>
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> <image006.jpg>
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> One Utah Center, Suite 800, 201 South Main Street Salt Lake City, UT 84111-
2221<http://maps.apple.com/?address=One%20Utah%20Center,%20Suite%20800,201%20South%20Main%20Street,Salt%2
OLake%20City,UT,84111-2221>
> 801.531.3023<tel:801.531.3023> direct
> 801.531.3001<tel:801.531.3001> fax
>
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> petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>
> vcard<https://vcard.ballardspahr.com/Api/Signature/?vkey=8562AE5E286544710B2E7EBE9858833B&format=vcard>
>
> <image007.jpg>
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> www.ballardspahr.com<http://www.ballardspahr.com/>
>
>
>
> From: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>
> Sent: Thursday, November 29, 2018 4:27 PM
> To: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)** Peterson, Steven D. (SLC)
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>; Mckinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: RE: Answers to Five Questions
>
> ⚠ EXTERNAL
> Thanks. We will review the answers and get back to you about next steps.
>
> Thanks,
>
> ap
>
> Amelia Piggott
> Attorney
> U.S. EPA Region 8
> 303.312.6410
>
> From: Sonia Perez <sonia@gardnercompany.net<mailto:sonia@gardnercompany.net>>
> Sent: Thursday, November 29, 2018 4:24 PM
> To: Piggott, Amelia <Piggott.Amelia@epa.gov<mailto:Piggott.Amelia@epa.gov>>;
lgoldner@barr.com<mailto:lgoldner@barr.com>
> Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)** Steven D. Peterson
<petersons@ballardspahr.com<mailto:petersons@ballardspahr.com>>;
bobby@robertbmckinstryjr.com<mailto:bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com<mailto:robert.mckinstry@gmail.com>
> Subject: Answers to Five Questions
>
> Amelia,
>
> I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to
Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.
>
>
> Sonia Perez
> GARDNER COMPANY/ Administrative Assistant

> 201 South Main St. Ste. 2000
> Salt Lake City, Utah 84111
> Phone: 801.456.4140<tel:801.456.4140>
> Fax: 801.366.7194<tel:801.366.7194>
> sonia@gardnercompany.net<mailto:dean@gardnercompany.net>
>
>
>

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 10/21/2020 10:11:55 PM
To: Madigan, Andrea [Madigan.Andrea@epa.gov]
Subject: FW: Resort Center Associates

Hi Andrea,

Ex. 5 Attorney Client (AC)

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Parker, Robert <Parker.Robert@epa.gov>
Sent: Wednesday, October 21, 2020 4:10 PM
To: Christensen, Stanley <Christensen.Stanley@epa.gov>
Cc: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: Resort Center Associates

Hey Stan – I heard via UDEQ today that Resort Center Associates (a property owner at Richardson Flat) may be suing EPA, DEQ, and Summit County. DEQ reported that they received notice to preserve all records. As far as I know, we have not been served yet. I haven't seen the notice that DEQ received, and I'd be speculating if I said anything else. I'll keep you in the loop as I learn more.

Rob

Rob Parker, P.E.
Superfund Remedial Project Manager
US EPA, Region 8, Denver
(303) 312-6664

Message

From: Piggott, Amelia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=19DABD61EB894B2ABF9AE44A9C29B739-PIGGOTT, AMELIA]
Sent: 6/11/2019 8:07:30 PM
To: Peterson, Steven D. [petersons@ballardspahr.com]
Subject: RE: Answers to Five Questions

Steven,

The issue is that we can only use data collected under EPA oversight in order to make Superfund decisions with respect to site boundaries. Currently, there are two ways the Site boundary could change. First, we have parties sample under an EPA order with EPA oversight, using an EPA-approved Quality Assurance Project Plan (this is the model order we are trying to finalize internally). Alternatively, parties can wait while EPA works through the engineering evaluation/cost analysis process. That process will determine the nature and extent of contamination at the Site, and boundaries may change upon completion of the EE/CA.

Thanks,

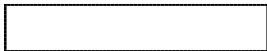
ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, June 10, 2019 4:21 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: RE: Answers to Five Questions

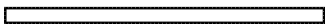
Thanks Amelia. IF EPA would release the property from its jurisdiction, Resort Associates, the owner, would have no issue with the County ordinance and it could proceed with development. Resort Associates has tested the property ad nauseam and it is basically clean. We need EPA to acknowledge this fact.

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, June 10, 2019 2:29 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I understand your frustration. EPA typically does not get involved in land use decisions, and is in a unique role here due to the county ordinance. We are still trying to get feedback from DOI and DOJ on the draft form settlement. I will get you something as soon as I'm able.

Thanks,

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

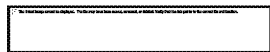
From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, June 10, 2019 11:51 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Subject: RE: Answers to Five Questions

Amelia,

Amelia,

This project has languished for years now. At the Summit County meeting several years ago your team stated that there is no real issue with this property. How do we get this off dead center? This is a bureaucratic nightmare.

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Monday, May 20, 2019 3:49 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Robert McKinstry <robert.mckinstry@gmail.com>
Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III

Ex. 6 Personal Privacy (PP)

McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I'm still waiting to hear back from DOI and DOJ regarding the draft form settlement. I'm hoping to get their comments back this week. I'll be out of town until June 7, but can follow up after that.

Thanks,

ap

Amelia Piggott
Senior Assistant Regional Counsel
CERCLA Enforcement Section
Office of Regional Counsel
U.S. EPA Region 8
(303) 312-6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Monday, May 20, 2019 1:59 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III
bobby@robertbmckinstryjr.com

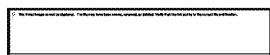
Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

Amelia,

Please update. Thank you.

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
Salt Lake City, UT 84111-2221
801.531.3023 DIRECT
801.531.3001 FAX

petersons@ballardspahr.com
VCARD



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Wednesday, April 17, 2019 8:10 AM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III
McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>

Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

△ EXTERNAL

Steven,

We met and discussed this issue yesterday, and at this point believe it makes most sense to do settlements where parties can do a combination of payment and characterization under EPA oversight. We are working on a form settlement for a party who contacted us earlier; our hope is that once the form settlement is finalized, we can use it for other interested parties. I will let you know when we finalize the form settlement (we are hoping to do so within the next few weeks), and we can discuss how it could or would be applicable to your client and what your client wants to do.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Tuesday, April 16, 2019 5:54 PM

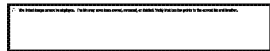
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com> Ex. 6 Personal Privacy (PP)

Subject: RE: Answers to Five Questions

Amelia, Please give us an update. Thank you.

Steven D. Peterson



One Utah Center, Suite 800, 201 South Main Street
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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Monday, March 18, 2019 9:30 AM

To: Robert McKinstry <robert.mckinstry@gmail.com>

Cc: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com; Walter Plumb III <bobby@robertbmckinstryjr.com> Ex. 6 Personal Privacy (PP); McKinstry, Robert (Retired)

Subject: RE: Answers to Five Questions

△ EXTERNAL

Hi Bobby,

That's definitely something we are discussing. As soon as we have a definitive path, I will reach out.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Robert McKinstry <robert.mckinstry@gmail.com>
Sent: Wednesday, March 13, 2019 4:31 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>
Cc: Peterson, Steven D. <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com; Walter Plumb III **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com
Subject: Re: Answers to Five Questions

Amelia

Are you in a position to share the memo and do you know whether it can be used with the County to promote a more sensible solution. If not, could there be some mechanism where the state could provide sign-offs(consistent with federalism principles)?

Sent from my iPhone
Robert B McKinstry, Jr.
Robert.mckinstry@gmail.com
Bobby@robertbmckinstryjr.com
(m) 484-467-3207
610-444-4449

On Mar 13, 2019, at 6:26 PM, Piggott, Amelia <Piggott.Amelia@epa.gov> wrote:

Steven,

I'm not sure we can change anyone's level of priority, but we are working as quickly as possible to get these settlements resolved. Please note that there are no EPA prohibitions that would preclude transfer of the property at any time you choose. Having said that, I recognize you are trying to work through the County ordinance. We are hopeful that the finalization of our risk tech memo (finalized last week) will help parties navigate that process. However, we cannot make promises with respect to timeframe at this point.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 4:00 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb II [Ex. 6 Personal Privacy (PP)] <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Amelia,

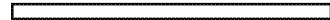
This is a very open-ended situation for us. What if the 2 settlements take considerable time? We have already been waiting a number of years. Would there be some way to give us some priority if these 2 settlements are not completed within the next month? We are very concerned about missing an excellent sales market. Thanks.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Wednesday, March 13, 2019 3:07 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)] <bobby@robertbmckinstryjr.com>; McKinstry, Robert (Retired) <robert.mckinstry@gmail.com>
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

We are still trying to get the two settlements ahead of you done. For the first settlement, we'd been working to finalize a tech memo that established preliminary risk numbers that could be used prior to EPA finalizing a risk assessment. That tech memo is now done, and we are hopeful that it will help expedite upcoming settlements. I will let you know as soon as I am able to discuss this settlement further.

Thanks,

ap

Amelia Piggott

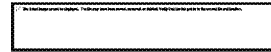
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Wednesday, March 13, 2019 2:19 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)] <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Please update us. We are very anxious to conclude this matter. Thanks very much.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, February 12, 2019 12:43 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez
<sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)] <[McKinstry, Robert \(Retired\)
<bobby@robertbmckinstryjr.com>; \[robert.mckinstry@gmail.com\]\(mailto:robert.mckinstry@gmail.com\)](mailto:McKinstry, Robert (Retired)@bobby@robertbmckinstryjr.com)>
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I'm still at least a month out from being able to provide a response. As we've discussed, there are two other parties who requested settlements. We're trying to wrap one up, get the other started, and then I can turn to understanding the facts associated with the purchase and sale, and figure out the best settlement mechanism for this situation. I appreciate your patience as we work through these issues.

Thanks,

ap

Amelia Piggott

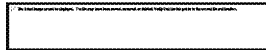
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, February 12, 2019 10:35 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP); bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,


Any update on timing?

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, January 29, 2019 8:43 AM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez
<sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III Ex. 6 Personal Privacy (PP) McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Steven,

I am in the midst of catching up on everything due to the shutdown. We are fairly behind due to lost time. I will get you an update as soon as possible.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8

303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>

Sent: Wednesday, January 2, 2019 1:40 PM

To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com

Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)** bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

Hi Amelia,

Can you give us an update?

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>

Sent: Monday, December 17, 2018 10:58 AM

To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez
<sonia@gardnercompany.net>; lgoldner@barr.com

Cc: Walter Plumb III **Ex. 6 Personal Privacy (PP)** McKinstry, Robert (Retired)
<bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com

Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

I still need to dig into the documents. I hope to do so this and next week, and will let you know if I have any additional questions.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Monday, December 17, 2018 10:54 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III [Ex. 6 Personal Privacy (PP)]; bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

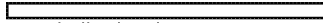
Did you have a chance to look at the Contract and Deed I sent last week? I hope those documents resolved your questions, but if you need more information we can talk or schedule a call for the larger group.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Tuesday, December 11, 2018 4:28 PM
To: Peterson, Steven D. (SLC) <petersons@ballardspahr.com>; Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb II [Ex. 6 Personal Privacy (PP)]; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>; robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Hi Steven,

Yes, I took a look. Thanks for checking in. It would be helpful to schedule a call, as I have questions about how the Seller still has a recorded interest in the property, and the Seller's relationship with the purchaser. I also want to understand the Option Contract. The statutory definition of BFPP is for an entity that acquires property after January 11, 2002, and I'm concerned that, based on the first Option Contract being dated 1997, a BFPP agreement wouldn't be the correct settlement mechanism for the property. Please let me know when would work for a call. I'm fairly booked this week, but have more availability next week.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Peterson, Steven D. <petersons@ballardspahr.com>
Sent: Tuesday, December 11, 2018 10:09 AM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; Sonia Perez <sonia@gardnercompany.net>;
lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)**; bobby@robertbmckinstryjr.com;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

Hi Amelia,

Do the answers we have provided give you what you need? Please advise regarding the status of this matter. Thanks very much.

Steven D. Peterson



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From: Piggott, Amelia <Piggott.Amelia@epa.gov>
Sent: Thursday, November 29, 2018 4:27 PM
To: Sonia Perez <sonia@gardnercompany.net>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)**; Peterson, Steven D. (SLC)
<petersons@ballardspahr.com>; McKinstry, Robert (Retired) <bobby@robertbmckinstryjr.com>;
robert.mckinstry@gmail.com
Subject: RE: Answers to Five Questions

EXTERNAL

Thanks. We will review the answers and get back to you about next steps.

Thanks,

ap

Amelia Piggott
Attorney
U.S. EPA Region 8
303.312.6410

From: Sonia Perez <sonia@gardnercompany.net>
Sent: Thursday, November 29, 2018 4:24 PM
To: Piggott, Amelia <Piggott.Amelia@epa.gov>; lgoldner@barr.com
Cc: Walter Plumb III; **Ex. 6 Personal Privacy (PP)** Steven D. Peterson <petersons@ballardspahr.com>;
bobby@robertbmckinstryjr.com; robert.mckinstry@gmail.com
Subject: Answers to Five Questions

Amelia,

I've attached answers to the questions you submitted to Bobby McKinstry. Please send any response to Bobby directly; I am sending this on behalf of one of his associates I've cc'd on this email.

Sonia Perez

GARDNER COMPANY/ Administrative Assistant

201 South Main St. Ste. 2000

Salt Lake City, Utah 84111

Phone: [801.456.4140](tel:801.456.4140)

Fax: [801.366.7194](tel:801.366.7194)

sonia@gardnercompany.net